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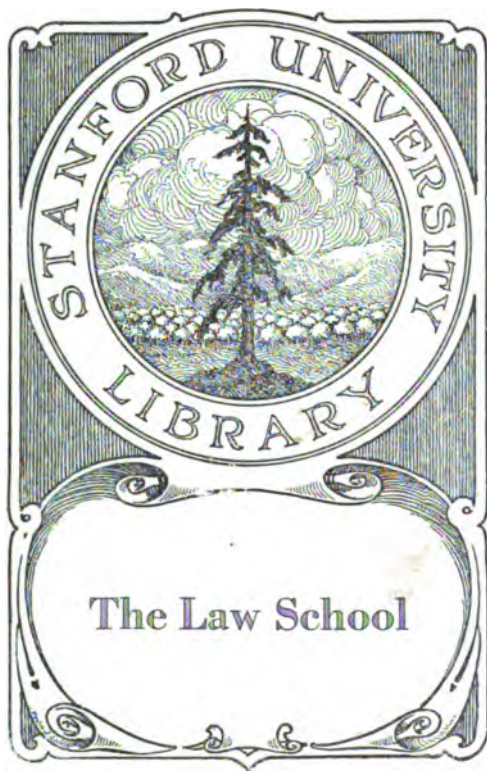
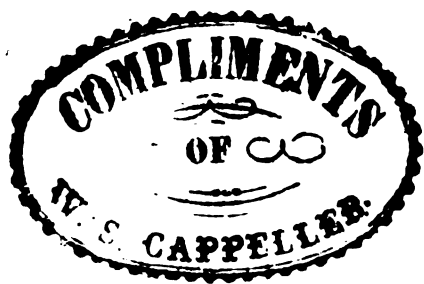
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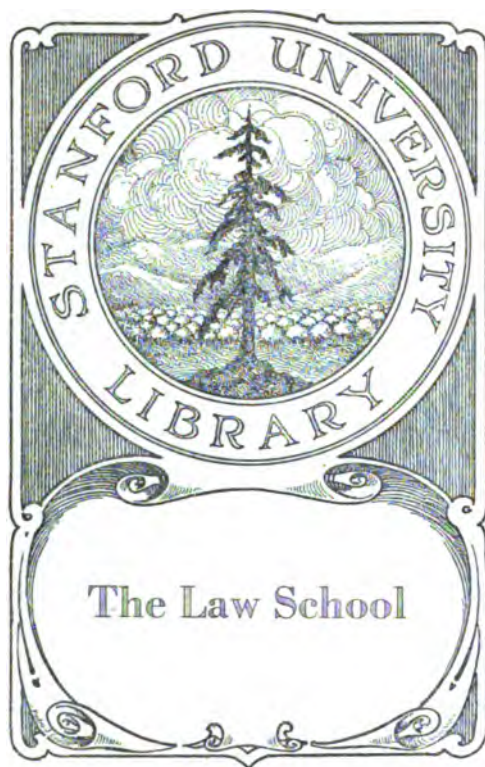
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THE STATE OF OHIO.

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GENERAL AND LOCAL LAWS

AND

JOINT RESOLUTIONS,

PASSED BY THE

SIXTY-FIFTH GENERAL ASSEMBLY

AT ITS ADJOURNED SESSION,

Began and held in the City of Columbus, January 2, 1883.

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# GENERAL LAWS.

[Senate Bill No. 77.]

## AN ACT

Supplementary to an act entitled "an act regarding the maintenance and repair of streets, alleys, etc., in cities of the first-class having a population of more than one hundred and fifty thousand inhabitants at the last federal census" [ (8254) section 1, (8255) section 2, (8256) section 3, (8257) section 4, (8258) section 5, (8259) section 6, (8260) section 7, (8261) section 8, (8262) section 9, (8263) section 10, (8264) section 11, appendix to the revised statutes of Ohio], passed and took effect April 11, 1876, and amendatory to that part of said act designated as (8261) section 8.

(8261b) SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works of any such city, at any time when, in their judgment, the best interests of such city will be subserved, is authorized and empowered to purchase the necessary materials, and employ such overseers and laborers as they may deem necessary, and fix their compensation, for the purpose of repairing and maintaining, in good repair, the streets, avenues, alleys, wharves, market spaces, and courts within any or all of the districts created in such city under (8254) section one of said act; the compensation of all such employes to be paid upon warrant of the comptroller of said city, and a pay-roll in triplicate; one to be filed with such comptroller, one with the city treasurer, and one in the office of the board of public works of said city; said pay-roll to be certified to by the president, and attested by the clerk of said board.

Board of public works of city to purchase materials, etc., for repairing streets, etc.

(8264b) SEC. 2. That said board of public works, if they deem the same advisable, may designate one or more of said districts, and may contract for the repair of the streets, avenues, alleys, wharves, market spaces, and courts within such district or districts in the manner pointed out in the act to which this act is supplementary.

Compensation of employes.

Repairs in certain districts.

SEC. 3. That the part of the act to which this act is supplementary, designated as (8261) section 8 of the appendix to the revised statutes of Ohio be so amended as to read as follows:

Section (8261), section 8. At the time of making annual estimates, it shall be the duty of said board to make a separate estimate, as approximately as may be, of the total amount required, either under this act or under the act to

Board to make separate estimates.

Council to  
levy suffi-  
cient tax for  
repairs.

Fund, not  
transferable.

which this act is supplementary, for the maintenance and repair of the streets, avenues, alleys, wharves, market spaces, and courts within such city, which estimate shall be separately certified to the common council of said city; and the said council shall thereupon, at the time the same is annually made by it, provide a levy upon all the taxable property within said city sufficient to cover said estimate, and when the same shall have been collected it shall be placed to the credit of the fund, to be called the street repairing fund; and shall be thereafter kept in said fund, and shall not be transferred, paid out, or used for any other purpose whatsoever than that for which the levy was made.

SEC. 4. That said original section (8261) section 8 be and the same is hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 11, 1883.

[House Bill No. 394.]

#### AN ACT

To amend section 4846 of the revised statutes of Ohio.

[SECTION 1.] *Be it enacted by the General Assembly of the State of Ohio,* That section 4846 be so amended as to read as follows:

Commis-  
sioners may  
issue bonds  
to meet ex-  
penses of  
road im-  
provements.

Section 4846. For the purpose of raising the money necessary to meet the expense of the improvement, the commissioners of the county may issue the bonds of the county, payable in installments, or at intervals not exceeding in all the period of twenty years, bearing interest at the rate not to exceed six per cent. per annum, payable semi-annually, which bonds shall not be sold for less than their par value; the assessment shall be divided in such manner as to meet the payment of principal and interest of the bonds; be placed upon the duplicate for taxation against the lands assessed, and collected in the same manner as other taxes; and when collected, the money arising therefrom shall be applied for no other purpose than the payment of the bonds and interest; but the county commissioners shall build all bridges and culverts on the improvement, and pay for the same out of the bridge fund of the county; and no bonds shall be delivered, or money paid to any contractor, except on the estimate of work done, as the same progresses, or is completed.

SEC. 2. That original section 4846 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed January 18, 1883.

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[House Bill No. 520.]

AN ACT

To repeal supplementary section 4209a of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That supplementary section forty-two hundred and nine(a) of the revised statutes of Ohio, passed April 16, 1881, as amended and passed April 15, 1882, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed January 23, 1883.

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[House Bill No. 619.]

AN ACT

Making appropriations for Longview Asylum for the fiscal year 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of thirty thousand dollars, the same for the care and support of the insane of the state in Longview asylum, said appropriation to be deducted by the auditor of state in computing the amount of which Longview asylum would be entitled to for the current year, as provided in section 750, R. S.

SEC. 2. This act to be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed January 24, 1883.

[House Bill No. 478.]

## AN ACT

To amend section 2543 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two thousand five hundred and forty-three of the revised statutes of Ohio be so amended as to read as follows:

Adjoining townships may be admitted to participation, etc.

Any municipal corporation or township may withdraw.

Section 2543. Any township adjoining one in which a cemetery is established by the union of any of the bodies as hereinbefore provided, may, by consent of the trustees of such township and of the council or councils of the corporation, be admitted to an equal participation with the inhabitants thereof in the rights and privileges in such cemetery, upon such terms as may be mutually agreed upon, but the title and control of the cemetery shall continue vested in the corporation as above provided; and any municipal corporation or township which has heretofore united, or which may hereafter unite with any other municipal corporation or township, or both, in the establishment or control of a cemetery under the provisions of this chapter, may by a resolution of the council of such corporation or of the trustees of such township, and with the consent of the council of the remaining corporation and trustees of the remaining township or townships, withdraw from the management and control of such cemetery, and relinquish the interest of such corporation or township therein, and thereupon such cemetery shall be under the management and control of such remaining corporation and township, or corporations and townships.

SEC. 2. Said original section 2543 is hereby repealed; and this act shall take effect on its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed January 25, 1883.

[House Bill No. 543.]

## AN ACT

To amend section 421 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four hundred and twenty-one of the revised statutes of Ohio be amended so as to read as follows:

Fees of clerk of supreme court.

Section 421. The clerk shall be allowed as fees the sums following: For each case placed on the trial docket, five dollars, which sum shall, in all such cases, be in full for docketing case and making out such dockets as the court orders

from term to term, and for indexing and entering appearance, issuing process, filing and labeling papers, entering rules, motions, and orders, continuances, decrees and judgments, making out lists of causes on the regular docket for publication once every year, and for making out and certifying the orders, decrees, and judgments of this court to other tribunals, including the issuing of mandates; for each case placed on the motion docket, the sum of two dollars, and which sum shall be in full for docketing such case from term to term, entering appearances and continuances, and entering and issuing rules and orders therein; for all copies of files, for orders, judgments, or records of the court, excepting in the cases above mentioned, the same fees as are now or may hereafter be provided by law for clerks of the court of common pleas for like services; which fees shall be paid to the clerk by the party invoking the action of the court before the case or motion can be docketed and shall be taxed as costs and be recoverable from the other party, in case the party invoking the action of the court succeeds, unless the court otherwise directs; and the clerk of the court shall keep a cash book, in which he shall enter all amounts so by him received as aforesaid.

Fees to be paid in advance.

Cash book to be kept.

SEC. 2. That said section 421 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGÉ,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 25, 1883.

[House Bill No. 546]

#### AN ACT

To amend section 1453 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section fourteen hundred and fifty-three of the revised statutes of Ohio be amended so as to read as follows:

Section 1453. The township clerk shall forthwith after the election or appointment of the township officers, make out a list of all the officers elected or appointed, stating the offices to which they are respectively chosen or appointed, and add thereto a requisition that they, severally, appear before him, or some other officer authorized to administer oaths, and take the oath of office, and give bond (if required by law to give bond) within ten days after such election, of which list and requisition, the said clerk shall forthwith make service by delivering to each person so elected or appointed, a copy thereof, or such list may be delivered to any

Clerk to make out list of officers elected or appointed.

Clerk or constable to make service forthwith.

constable of said township who shall make service of the same as required aforesaid, and said list and requisition, with the time and manner of service thereon, shall be returned and filed in the office of said clerk.

SEC. 2. That original section 1453 be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 25, 1883.

[Senate Bill No. 129.]

#### AN ACT

To amend sections 2307 and 2308 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections two thousand three hundred and seven and two thousand three hundred and eight of the revised statutes be amended so as to read as follows:

Keeping  
street in re-  
pair, plant-  
ing shade  
trees, sprink-  
ling.

Petition filed  
and record-  
ed by city  
clerk.

Who shall  
constitute  
board for  
such pur-  
pose.

Term and  
how vacancy  
filled.

Section 2307. On the written petition of the owners of more than two-thirds of the feet front on any street, or part thereof, the council of such city of the second-class or village, may provide by ordinance for keeping in repair, planting and taking care of shade trees, sprinkling with water, and sweeping any streets, or part thereof, which have been improved under any of the provisions of this chapter; and one or more of such objects may be embraced in one petition or ordinance, and may also be included in the petition and ordinance for the improvement of such street, or part thereof; said petition shall be filed and recorded by the clerk of the city, and shall be operative from and after the date of its record, and the record shall be presumptive evidence of its contents and the signatures thereto.

Section 2308. The council may, in the ordinance referred to in the preceding section, designate two of the petitioners to act without compensation, who, with the corporation engineer, shall constitute a board, under whose supervision and direction the keeping in repair of such street or alley or part thereof, planting and taking care of shade trees, and sprinkling of such street, may be done; said commissioners shall be appointed for the term of three years, and a vacancy arising for any cause, may be filled by said council, by appointment from said petitioners for the unexpired term; the power to appoint commissioners under any one petition shall cease after the expiration of nine years from the date of its record, but it may be renewed at any time,



by another like petition, which, when filed and recorded, shall have the same force and effect as the first one.

SEC. 2. Said sections 2307 and 2308 of the revised statutes are hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 25, 1883.

[Senate Bill No. 187.]

### AN ACT

To amend sections 4448 and 4476 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections forty-four hundred and forty-eight and forty-four hundred and seventy-six of the revised statutes of Ohio be so amended as to read respectively as follows:

Section 4448. The word "ditch" as used in this chapter, shall be held to include a drain or water-course. The petition for any such improvement shall be held to include any side, lateral, spur or branch ditch, drain or water-course necessary to secure the object of the improvement, whether the same is mentioned therein or not; but no improvement shall be located unless a sufficient outlet is provided, and the commissioners may change either terminus of such ditch before its final location, if the object of the improvement will be better accomplished thereby.

Meaning of  
the word  
"ditch" as  
used herein.

Commis-  
sioners may  
change ter-  
minus.

Section 4476. No bill [bid] shall be entertained which exceeds the estimated value of construction; the surveyor or engineer shall sell, first, the job or labor of the construction of the working section of the outlet or mouth of the improvement, and fix a day when the job shall be completed, not exceeding in any case, one hundred and fifty days from the day of sale, and shall then sell each remaining working section in its order, up stream, and require the labor on each to be completed within a time so fixed that will, as nearly as practicable, secure an outlet for the water as each section is completed, but the commissioners may, if the construction of such work will be facilitated thereby, authorize the sale or construction of such work, or either, to be made and performed in a different order and time from that herein above specified. The surveyor or engineer shall make contracts and take bonds as aforesaid and report his doings to the commissioners within five days from the date of sale, and return the contracts and bonds to the auditor, who shall file and carefully preserve the same; the contracts and bonds shall be examined and approved or disapproved by the commissioners, who shall cause an entry of their decision to be

The sale,  
bonds of bid-  
ders, etc.

Contracts  
and bonds  
filed with  
auditor.

made on their journal, and the contractors to be notified of the approval or disapproval of the contracts and bonds; and the contractor for each job shall be liable, on his bond so given, for all delays after the expiration of the time named therein for the completion of the job, and for the payment of all damages which accrue by reason of the failure to complete the job within the time required in the contract therefor.

SEC. 2. That said original section forty-four hundred and forty-eight and said section forty-four hundred and seventy-six, as amended April 20, 1881 (O. L. vol. 78, page 207), be and the same are hereby repealed, and this act shall take effect on its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed January 30, 1883.

[House Bill No. 845.]

#### AN ACT

To amend sections 4234 and 4237 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections forty-two hundred and thirty-four and forty-two hundred and thirty-seven of the revised statutes of Ohio be so amended as to read as follows:

Disposition  
of duties and  
other in-  
come.

Treasurer  
shall pay  
into state  
treasury.

Auditor to  
transmit  
statement of  
receipts to  
state audit'r.

Section 4234. All moneys raised by way of tax, penalty, or otherwise, under the provisions of this chapter, shall be paid into the treasury of the proper county, for which duplicate receipts shall be taken by the person making such payment, one of which receipts he shall deliver to the auditor of the county, who shall file the same in his office, and charge the treasurer therewith; and it shall be the duty of each and every county treasurer with whom any money may be deposited in conformity with the provisions of this chapter, to account to the auditor of state for all moneys so by him received each year hereafter, at the time of making his semi-annual August settlement, and upon the draft of the auditor of state, pay into the state treasury all such moneys not otherwise appropriated by law, after deducting therefrom two per centum, to be computed on the amount received and paid over by such treasurer, as his compensation; and the sums thus paid into the state treasury shall be placed to the credit of the general revenue fund.

Section 4237. It shall be the duty of the auditor of each and every county with whom any auctioneer or other person may have filed the receipt or receipts of any county treasurer, according to the provisions of this chapter, to transmit a full and accurate statement of all such receipts to the audi-

tor of state, each year hereafter, at the time of transmitting duplicates of his semi-annual August settlement certificates.

SEC. 2. That said original sections 4234 and 4237 be and the same are hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed January 31, 1883.

[House Bill No. 511.]

### AN ACT

To amend an act passed March 19, 1880, entitled "an act to amend section 5340 of the revised statutes of Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5340 of the revised statutes, as amended March 19, 1880, be so amended as to read as follows:

Section 5340. The plaintiff, if a non-resident of the county in which the action is brought, or a partnership suing by its company name, or a corporation when insolvent, must furnish sufficient security for costs. The surety must be a resident of the county and approved by the clerk, and his obligation shall be complete by indorsing the summons, or signing his name on the petition as surety for costs; he shall be bound for the payment of all costs which may be adjudged against the plaintiff in the court in which the action is brought, or in any other court to which it may be carried; and for all costs which may be taxed against the plaintiff in such action, whether he obtain judgment or not. But the plaintiff may deposit with the clerk of the court such sum of money, as security for costs in the case, as, in the opinion of the clerk, will be sufficient for the purpose; and the court may, on motion of the defendant, and if satisfied that such deposit is not sufficient, require the same to be increased, or personal security to be given. But nothing in this section shall be so construed as to require administrators or executors to give security for costs in any suit commenced or prosecuted by them in the county in which they have been appointed or qualified, and in which they have given bond as such executor or administrator.

When plaintiff must give security for costs.

Administrators not required to give security.

SEC. 2. Said original section 5340, as amended March 19, 1881 (vol. 77, page 71), be and the same is hereby repealed.

SEC. 3. This act shall take effect from its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed January 31, 1883.

[House Bill No. 587.]

## AN ACT

Making appropriations to pay the principal and interest of the public fund d debt; interest on the irreducible debt and the expenses of the commissioners of the sinking fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury belonging to the sinking fund, the following sums for the purposes herein named, to wit:

For payment principal - funded debt. For the payment of the principal of the funded debt due July 1, 1883, three hundred and twenty-five thousand dollars (\$325,000).

For interest foreign debt. For interest on the foreign debt, one hundred and sixty-seven thousand three hundred and thirty-eight dollars and forty-one cents (\$167,338.41), or so much thereof as may be necessary to pay the interest falling due July 1, 1883, and January 1, 1884.

For interest irreducible debt. For interest on the irreducible debt of the state which constitutes the school, ministerial, Ohio University and Ohio State University, two hundred and fourteen thousand one hundred and forty-one dollars and eighty-five cents (\$214,141.85), or so much thereof as may be necessary to pay the interest falling due July 1, 1883, and January 1, 1884.

For expens's and clerk hire commis-sioners sink-ing fund. For the payment of expenses of the office of the commissioners of the sinking fund, including salary of the clerk, seventeen hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed February 1, 1883.

[House Bill No. 600.]

## AN ACT

Making appropriations to meet deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury to the credit of the general revenue fund, the following sums, to wit:

*Auditor of State Department:*

For contingent expenses of tax revision committee, twenty-five dollars (\$25).

For examination of county treasuries, four hundred and thirty dollars (\$430).

*Attorney General's Department :*

Prosecuting claims against the general government, four hundred and sixty dollars and seventeen cents (\$460.17).

For salary of lieutenant-governor, one hundred dollars (\$100).

*Treasurer of State Department :*

For publishing abstract of annual report, sixty-six dollars and forty cents (\$66.40).

*Secretary of State :*

For stationery purchased of Chas. Huston, two hundred and seventy-seven dollars and ten cents (\$277.10).

For contingent expenses due Chas Huston, six dollars and sixty-five cents (\$6.65).

For prosecution and transportation of convicts as per sections seven hundred and fifty-nine, seven hundred and sixty-one and seventy-three hundred and thirty-four to seventy-three hundred and thirty-seven, inclusive, revised statutes, twenty-five thousand dollars (\$25,000).

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed February 1, 1883.

[Senate Bill No. 221.]

AN ACT

To amend sections 2721 and 2723 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That sections twenty-seven hundred and twenty-one and twenty-seven hundred and twenty-three of the revised statutes of Ohio be amended so as to read :

Section 2721. The trustees of the sinking fund shall, in the month of May in each year, or as soon thereafter as possible, certify to the city council the rate of tax necessary to provide a sinking fund for the future payment of the bonds issued by the city, and for the payment of judgments final against the city, except in condemnation of property cases, which rate shall not exceed in any year the sum of one mill; also the amount necessary to be levied to provide for the

Trustees to  
certify to  
council rate  
of tax to pay  
bonds, etc.

payment of the interest on all the bonded indebtedness of the city, the rents due on all perpetual leaseholds of the city not payable from special funds, and such further amount as may be necessary to provide a sinking fund for the final redemption of the Cincinnati Southern Railway bonds; and the city council shall place the several amounts so certified in the tax ordinance before and in preference to any other item, and for the full amount certified.

Payment of  
bonds, in-  
terest, etc.

Section 2723. The trustees shall provide for the payment of all interest on the city bonded debt, of all judgments final against the city, except in condemnation of property cases, of all rents on perpetual leaseholds of the city not payable from special funds, and for bonds falling due, and for this purpose only, may sell or use any of the securities or money in their possession.

SEC. 2. Said original sections 2721 and 2723 of the revised statutes of Ohio are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 6, 1883.

[Senate Bill No. 233.]

#### AN ACT

To authorize the board of education in cities of the first class, second grade, to make an additional levy for school-house purposes.

Boards of  
education of  
certain cities  
may levy  
one mill ad-  
ditional.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education in cities of the first class, second grade, may for the next five years levy on each dollar of valuation of taxable property one mill per year additional to that now allowed, the proceeds of said levy to be exclusively used for the erection, furnishing and repair of school-houses, and, when necessary, for the purchase of sites therefor.

SEC. 2 This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 9, 1883.

[House Bill No. 616.]

## AN ACT

To amend section 4668 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-six hundred and sixty-eight of the revised statutes of Ohio be so amended as to read as follows :

Section 4668. Whenever, after the lapse of two years from the date of an order establishing a county road, the same or any part thereof remains unopened ; and a petition setting forth such facts is presented to the county commissioners, signed by three or more of the original petitioners, or freeholders, resident along the line of said road, the county commissioners shall in their discretion cause said road, or part thereof, to be opened, by contract, and assess the cost thereof upon the township or townships in which said road may lie ; but any county road, or part thereof, which has heretofore or may hereafter be authorized, which remains unopened for public use for the space of seven years after the order is made or authority granted for opening the same, shall be, and the same is hereby vacated, and the authority granted for erecting the same barred by lapse of time.

After two years commissioners may order county road to be opened.

Vacated when unopened for seven years.

SEC. 2. Said original section 4668 is hereby repealed ; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 9, 1883.

[Senate Bill No. 192.]

## AN ACT

To amend section 4552 of the revised statutes of Ohio, as amended April 20, 1881 (Ohio Laws Vol. 78, page 210.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand five hundred and fifty-two of the revised statutes of Ohio, as amended April 20, 1881 (Ohio Laws Vol. 78, page 210), be amended so as to read as follows :

Section 4552. The trustees shall have the power to cause any ditch, or any part thereof, located and constructed under any law, to be altered, deepened, widened, enlarged, repaired, boxed or tiled, and the same proceedings shall be had so far as is applicable, as is required in the location and construction of the same ; and in all cases the expenses

Township ditch may be altered or repaired by trustees.

thereof shall be apportioned in the same manner as is provided herein for original construction.

SEC. 2. That said original section four thousand five hundred and fifty-two, as amended as aforesaid, be and the same is hereby repealed.

SEC. 3. This act shall be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 10, 1883.

[House Bill No. 545.]

#### AN ACT

To amend section 4488 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-four hundred and eighty-eight of the revised statutes be so amended as to read as follows :

When proposed ditch benefits lands in more than one county.

Section 4488. When a ditch or improvement is proposed which will require location in, or that will be beneficial to lands in more than one county, application shall be made to the commissioners of each of such counties, and the surveyor or engineer shall make a report for each county; applications for damages shall be made, and appeals from the finding of the commissioners in joint session, locating and establishing such ditch, and from the assessment of damages or compensation, shall be taken to the probate court of the county in which the greatest length of such ditch or improvement is located; a majority of the commissioners of each county, when in joint session, shall be competent to locate and establish such ditch or improvement; but no commissioner shall serve in any case in which he is personally interested; and any two commissioners may form a quorum for the transaction of business under this chapter for their respective counties.

SEC. 2. That said original section forty-four hundred and eighty-eight be, and the same is hereby repealed, and this act shall take effect upon its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 13, 1883.



[House Bill No. 560.]

## AN ACT

To amend section 3958 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-nine hundred and fifty-eight of the revised statutes of Ohio be so amended as to read as follows:

Section 3958. It shall be the duty of the auditor to certify to the clerk of each district before the third Monday in April, the amount of taxable property in such district, and each board of education shall annually, at a regular or special meeting to be held between the third Monday in April and the first Monday in June, require from the clerk of the board, a written statement of all unexpended balances in the hands of their treasurer or standing to the credit of their district and determine by estimate as nearly as practicable, the amount of money in addition to such balances and credits necessary to be levied as a contingent fund to continue the school or schools of the district after the state funds are exhausted, to purchase sites for school-houses, to erect, purchase, lease, repair and furnish school-houses and build additions thereto, and for other school purposes.

Auditor to certify to clerk of district amount of taxable property.

Board of education shall determine amount necessary to be levied.

SEC. 2. Said original section 3958 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

[House Bill No. 651.]

## AN ACT

Making partial appropriations for the benevolent, penal and reformatory institutions of the state for the last three quarters of the fiscal year ending November 15, 1883, and the first quarter of the fiscal year ending February 15, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums for the purposes herein named, to wit:

*Athens Asylum for the Insane:*

For current expenses, twenty-five thousand dollars (\$25,000).

For salaries of officers, one thousand dollars (\$1,000).  
 For expenses of trustees, one hundred dollars (\$100).  
 For ordinary repairs, five hundred dollars (\$500).

*Cleveland Asylum for the Insane:*

For current expenses, twenty-five thousand dollars (\$25,000).  
 For salaries of officers, one thousand dollars (\$1,000).  
 For ordinary repairs, five hundred dollars (\$500).

*Columbus Asylum for the Insane:*

For current expenses, twenty-five thousand dollars (\$25,000).  
 For salaries of officers, one thousand dollars (\$1,000).  
 For expenses of trustees, one hundred dollars (\$100).  
 For ordinary repairs, five hundred dollars (\$500).

*Dayton Asylum for the Insane:*

For current expenses, twenty-five thousand dollars (\$25,000).  
 For salaries of officers, one thousand dollars (\$1,000).  
 For expenses of trustees, one hundred dollars (\$100).  
 For ordinary repairs, five hundred dollars (\$500).

*Lucas County Asylum for the Insane:*

For care of the insane, as per contract with the state, five thousand dollars (\$5,000).

*Toledo House of Refuge and Correction:*

For maintenance of boys, as per contract with the state, two thousand dollars (\$2,000).

*Asylum for the Deaf and Dumb:*

For current expenses, twenty thousand dollars (\$20,000).  
 Salaries of officers and teachers, five thousand dollars (\$5,000).  
 For expenses of trustees, one hundred dollars (\$100).  
 For ordinary repairs, five hundred dollars (\$500).

*Asylum for the Blind:*

For current expenses, twenty thousand dollars (\$20,000).  
 For salaries of officers and teachers, five thousand dollars (\$5,000).  
 For expenses of trustees, one hundred dollars (\$100).  
 For ordinary repairs, five hundred dollars (\$500).

*Asylum for Imbecile Youth:*

For current expenses, twenty-five thousand dollars (\$25,000).  
 For salaries of officers and teachers, three thousand dollars (\$3,000).

For expenses of trustees, one hundred dollars (\$100).  
For ordinary repairs, five hundred dollars (\$500).

*Soldiers' and Sailors' Orphans' Home:*

For current expenses, fifteen thousand dollars (\$15,000).  
For salaries of officers and teachers, five thousand dollars (\$5,000).  
For expenses of trustees, one hundred dollars (\$100).  
For ordinary repairs, five hundred dollars (\$500).

*Penitentiary:*

For current expenses, twenty-five thousand dollars (\$25,000).  
For salaries of officers, five thousand dollars (\$5,000).  
For salaries of guards, ten thousand dollars (\$10,000).  
For prosecution and transportation of convicts under sections seven hundred and fifty-nine and seven hundred and sixty-one (7334 to 7337, inclusive), revised statutes, twenty thousand dollars (\$20,000).  
For salaries of directors, three hundred dollars (\$300).

*Girls' Industrial Home:*

For current expenses, ten thousand dollars (\$10,000).  
For salaries of officers, matrons, teachers, and housekeepers, two thousand dollars (\$2,000).  
For expenses of trustees, one hundred dollars (\$100).  
For ordinary repairs, five hundred dollars (\$500).

*Reform Farm for Boys:*

For current expenses, fifteen thousand dollars (\$15,000).  
For salaries of officers and teachers, five thousand dollars (\$5,000).  
For expenses of trustees, one hundred dollars (\$100).  
For ordinary repairs, five hundred dollars (\$500).

*Ohio State University:*

For expenses of trustees, one hundred dollars (\$100).

*State Board of Charities:*

For expenses, five hundred dollars (\$500).

SEC. 2. The moneys appropriated in the foregoing section shall not in any way be expended to pay liabilities or deficiencies existing prior to February 15, 1883, nor used for any other purpose than the specific purpose for which the same is appropriated.

SEC. 3. This act shall take effect and be in force from and after February 15, 1883.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

[House Bill No. 402.]

## AN ACT

Supplementary to section 1292 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 1292 of the revised statutes of Ohio, with sectional numbering as herein provided :

Judges of  
common  
pleas in Lu-  
cas county  
may receive  
additional  
salary.

Section 1292a The judges of the court of common pleas, residing in Lucas county, may, providing the county commissioners allow the same, each receive out of the county treasury in addition to the salary paid out of the state treasury, the sum of one thousand dollars annually, to be paid in the same manner and at such times as is provided for the payment of the salaries of judges out of the state treasury.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 13, 1883.

[House Bill No. 769.]

## AN ACT

To authorize cities of the first grade, first class, to issue bonds for the relief of sufferers by the recent floods therein.

Certain  
cities may  
issue bonds  
to relieve  
sufferers  
by flood.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the comptroller of any city of the first grade of the first class, is hereby authorized to borrow on behalf thereof a sum of money not exceeding one hundred thousand dollars to relieve the suffering caused by the floods in such city, and to pay the same upon the order of the duly authorized committee of the common council thereof.

SEC. 2. That the common council of any such city is hereby authorized to issue the bonds of said city for a sum not exceeding one hundred thousand dollars, with interest at not more than four per centum per annum, payable in four years or sooner, in the discretion of said council, and to make such additional levy as is necessary to provide for the payment thereof. Said bonds shall be offered to the sinking fund trustees at par and interest, and if not sold to them shall be advertised for not exceeding three days, and in all other respects as provided by section 2709 of the revised statutes of Ohio.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed February 15, 1883.

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[Senate Bill No. 232.]

AN ACT

To regulate the levying of taxes for road and bridge purposes in certain counties.

[DEFIANCE COUNTY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the commissioners in each of the counties of the state having a population at the last federal census of twenty-two thousand five hundred and eighteen, or which shall hereafter at any subsequent federal census have a population of twenty-two thousand five hundred and eighteen, to annually, at their March session, make a levy not to exceed three mills on each dollar of valuation on all the taxable property in such counties for road and bridge purposes; and that in such counties it shall be the duty of the commissioners to construct and keep in repair all necessary bridges over streams and public canals on all state and county roads, free turnpikes, and improved roads in common public use.

Additional  
levy shall be  
made in cer-  
tain counties  
for road and  
bridge pur-  
poses.

SEC. 2. That so much of sections 860, 2824 and 4938 of the revised statutes of Ohio, as conflicts with this act, is hereby superseded and declared to be wholly inoperative in the counties described in this act.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed February 16, 1883.

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[House Bill No. 633.]

AN ACT

To amend section 1504 of the revised statutes of Ohio, relating to the receipts and disbursements of civil townships.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section fifteen hundred and four of the revised statutes of Ohio be amended so as to read as follows:

**Township clerk shall make detailed statement of receipts and expenditures.**

**Liable to a fine upon failure to perform duty.**

Section 1504. He shall, immediately after the township officers have made their annual settlement of accounts, make out and enter in the record in which the proceedings of the trustees are recorded, a detailed statement of all the receipts and expenditures of the township for the preceding year, and also a detailed statement of all liabilities, if any, and also the receipts and expenditures of the township board of education, stating from what source the moneys were received, and to whom paid, and for what expended, and a statement of all liabilities, if any, a copy of which statement he shall set up on the morning of the first Monday of April, annually, at the places of holding township meetings. Any township clerk refusing or neglecting to make out, enter and publish said detailed statement, shall be liable to a fine of not more than thirty dollars nor less than twenty-five dollars, recoverable before any justice of the peace of the township, and to be paid into the school fund of the township.

SEC. 2. Original section 1504 is hereby repealed.

SEC. 3. This act shall take effect on its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed February 16, 1883.

[House Bill No. 580.]

#### AN ACT

To amend section 6555 of the revised statutes of Ohio, and supplementary thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-five hundred and fifty-five of the revised statutes of Ohio be amended so as to read as follows :

**Service as juror within thirty days may disqualify.**

Section 6555. If either party object to the competency of a juror, the question thereon must be tried in a summary manner by the justice, who may examine the jurors or other witness under oath, and the fact of a juror drawn, as specified in section sixty-five hundred and forty-nine of the revised statutes of Ohio, or any other person, having served before any justice of the peace of the township wherein he resides, as a regular juror or talesman, within last thirty days prior to time of challenge, shall disqualify him from serving in the trial of such cause, objection being made.

SEC. 2. Said original section 6555 be and is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed February 16, 1883.

[House Bill No. 677.]

## AN ACT

To amend section 3262 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-two hundred and sixty-two of the revised statutes of Ohio be so amended as to read as follows:

Section 3262. A corporation for profit, after its original capital stock is fully paid up, may increase its capital stock by a vote of the holders of a majority of its stock, at a meeting called by a majority of its directors, at least thirty days' notice of the time, place and object of which has been given, by publication in some newspaper of general circulation, and by letter addressed to each stockholder whose place of residence is known; or such increase may be made at any meeting of the stockholders at which all the holders of such stock are present in person or by proxy, and waive in writing such notice by publication and by letter; and also agree in writing to the increase of the capital stock, naming the amount of increase to which they agree, and a certificate of such action of corporation shall be filed with the Secretary of State.

How corporations for profit may increase their capital stock.

How notice may be waived.

SEC. 2. That said original section 3262 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed February 16, 1883.

[House Bill No. 417.]

## AN ACT

To amend section 4887 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand eight hundred and eighty-seven of the revised statutes of Ohio be so amended as to read as follows:

Section 4887. The superintendent shall keep in repair all culverts necessary for the travel and convenience of such roads; his authority shall extend to repairing of bridges and culverts in all cases when the expenditure of money shall not exceed two hundred dollars; he shall have power to contract for the necessary material and labor therefor, and certify the same to the commissioners as provided for in section (forty-eight hundred and eighty); and all contracts for labor

Powers and duties of pike superintendents.

and material employed in the repair of culverts and bridges shall be paid for out of the road fund of the county.

SEC. 2. Said original section four thousand eight hundred and eighty-seven be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 21, 1883.

[House Bill No. 617.]

#### AN ACT

To amend section 4877 of the revised statutes of Ohio, as amended March 18, 1880 (vol. 77, O. L., page 65).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four thousand eight hundred and seventy-seven of the revised statutes of Ohio be amended so as to read as follows:

Certain  
townships  
constitute  
road dis-  
tricts.

Section 4877. Each township in the counties of Adams, Shelby and Clermont, for the purpose of keeping in repair so much of such roads as may be therein, is hereby constituted a road district and placed under the care and supervision of a superintendent now in office or hereafter elected as herein provided.

SEC. 2. Said original section 4877 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 21, 1883.

[House Bill No. 129.]

#### AN ACT

To amend section 5947 of the revised statutes of Ohio, relative to lost wills.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 5947 of the revised statutes be amended so as to read as follows:

How lost or  
spoliated  
wills may be  
probated.

Section 5947. If the court, upon such proof, shall be satisfied that such last will and testament was duly executed in the mode provided by the law in force at the time of its execution; that the contents thereof are substantially proved, and that the same was unrevoked at the death of the testa-



tor, and has been lost, spoliated or destroyed subsequent to the death of such testator, or his becoming incapable, as aforesaid, such court shall find and establish the contents of such will as near as the same can be ascertained, and cause the same and the testimony taken in the case to be recorded in said court; and in any case in which a will has been, or may hereafter be lost, spoliated, destroyed, mislaid, or stolen, after the same has been duly admitted to probate, but before it has been recorded, the court, upon notice being given, as provided in section 5945 of this title and chapter, to persons whose interest it may be to resist the probate and record of said will, may hear testimony, and if satisfied that the contents of said will have been substantially proved, record said will as thus proven, which record shall have all the force and effect of a record of the original will.

SEC. 2. That said section 5947 be and is hereby repealed; and this act shall be in force on and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 22, 1883.

[House Bill No. 324.]

#### AN ACT

To amend section 4836 of the revised statutes of Ohio, as amended April 16, 1880, and March 31, 1881 (vol. 78, page 92).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand eight hundred and thirty-six of the revised statutes of Ohio be amended so as to read as follows:

Section 4836. When the report is filed, the commissioners shall, unless such report shows that there is no public necessity for the contemplated improvement, enter on their records and order that the improvement be made, which order shall state the kind of improvement, the width, the extent of the same, and the lands which shall be assessed for the expenses thereof; but such order shall not be made until a majority of the resident land-owners of the county whose lands are reported as benefited and ought to be assessed, and in counties containing a city of the first grade, of the first class, in addition to such land-holders, a majority in interest of the persons whose lands abut upon said proposed improvement, subscribe the petition mentioned in section four thousand eight hundred and thirty-one; in determining such majorities minor heirs shall not be counted for or against the improvement, unless represented by legal guardian, and the action of such guardian shall be binding upon such minor heirs; and all heirs or owners, either adults or

Proceedings  
when report  
of viewers of  
two-mile as-  
sessment  
pike is filed.

minors, to any undivided estate, shall only be entitled to one vote for or against such improvement, and the name of any person who has acquired title to the same by gift, or in any other manner, for the purpose of making such person a petitioner for or remonstrator against such improvement, shall not be counted in favor of the same, or against the same.

SEC. 2. Said original section 4836 be and is hereby repealed.

SEC. 3. This act shall be in force and take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 22, 1883.

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[House Bill No. 597.]

#### AN ACT

To amend section 1695 and to repeal section 8224 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1695 of the revised statutes of Ohio be so amended as to read as follows :

Recording  
and publish-  
ing by-laws,  
ordinances,  
etc.

Section 1695. By-laws, resolutions and ordinances shall be authenticated by the signature of the presiding officer and clerk of the council. Ordinances of a general nature, or providing for improvements shall be published in some newspaper of general circulation in the corporation, if a daily twice, and if a weekly once, before going into operation. No ordinance shall take effect until the expiration of ten days after the first publication of such notice. And as soon as any by-law, resolution or ordinance is passed and signed, it shall be recorded by the clerk in a book to be furnished by the council for the purpose, provided that whenever ordinances shall be revised, codified, re-arranged and published in book form and certified as correct by the city or village clerk and the mayor thereof, such publication in book form shall be taken and held to be in lieu of publishing the same in a newspaper or newspapers as required by law, and shall be a sufficient publication to all intents and purposes, and the ordinance or several ordinances so published in book form under appropriate titles, chapters and sections, shall be held the same in law as though they had been published in a newspaper or newspapers, provided that any new ordinance so published in book form, which has never been published according to law, and which contains entirely new matter shall be published as heretofore required by law.

Publication  
in book form  
sufficient.

SEC. 2. That said original sections 1695 and 8224 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 22, 1883.

[House Bill No. 708.]

### AN ACT

Ceding the jurisdiction of the state of Ohio to the United States of America over certain lands in Cincinnati, purchased, or to be purchased, by the United States.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the consent of the state of Ohio is hereby given to the purchase by the United States of America of a certain tract of land in the city of Cincinnati, on the east side of Kilgour street, running from Third street to Pearl street, already acquired, or to be acquired, for the purpose of a marine hospital.

Consent  
given to U. S.  
to purchase  
certain  
lands.

SEC. 2. The jurisdiction of the state of Ohio in and over the said land, when purchased by the United States, shall be and the same is hereby ceded to the United States of America, but the jurisdiction hereby ceded shall continue no longer than the said United States shall own said land.

Jurisdiction  
ceded to  
U. S.

SEC. 3. The said consent is given and the said jurisdiction ceded upon this express condition, that the state of Ohio shall retain concurrent jurisdiction with the United States in and over the said land so far as that all civil process in all cases, and such criminal and other process as may issue under the law or authority of the state of Ohio against any person charged with crimes or misdemeanors committed within said state, including said land, may be executed therein in the same way and manner as if such consent had not been given or jurisdiction ceded, except so far as such process may affect the real or personal property of the United States; and also upon the further condition that all persons who are now residing, or shall thereafter reside upon said land so acquired shall, subject to the general laws of the state, be deemed and held to be citizens of the state of Ohio, entitled to all the privileges and subject to all the liabilities and duties of citizens of this state; and provided that an accurate description and plat of said land, verified by the oath of some officer of the United States having knowledge of the facts, shall be filed with the governor of Ohio, and the taking possession of said land by the United States shall be taken as an acceptance on the part of the United States of all the stipulations and conditions of this act.

State to re-  
tain concu-  
rent juris-  
diction.

SEC. 4. The jurisdiction hereby ceded shall not vest until the United States shall have acquired the title to the said land; and so long as the land shall remain the property of the United States, and no longer, the same shall be and continue exonerated from all taxes, assessments and other charges which may be levied or imposed under the authority of the state of Ohio.

SEC. 5. This act shall take effect upon its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 22, 1883.

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[House Bill No. 561.]

AN ACT

Making appropriations for the support of common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be, and is hereby appropriated from any moneys raised or accruing in the state treasury for the support of common schools, one million six hundred and twenty-one thousand nine hundred and eighty-one dollars and fifty cents (\$1,621,981.50), or so much as may come into the treasury for that purpose, to be distributed and paid in the manner provided by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed February 22, 1883.

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[House Bill No. 409.]

AN ACT

To amend section 7010 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section seven thousand and ten be amended so as to read as follows:

Penalty for  
using hall,  
theater, etc.,  
without cer-  
tificate.

Section 7010. Whoever, being the owner of a hall, theater, opera-house, church, or school-house, having the control thereof, individually or by virtue of his office, as agent of any society or corporation, permits the same to be used for the purpose of public assemblies or schools, without having the certificate required by law that the same is provided with the means of speedy and safe ingress and egress, shall be fined not more than one thousand dollars for each and every such

offense; nor shall it be lawful for any owner, lessee, or proprietor of a hall, theater, or opera-house to block up the aisles and hall-ways therein by placing chairs, stools, or permitting them to be occupied by persons standing therein, or by any obstructions whatever to the danger of those occupying sittings therein, by cutting off an escape and easy egress therefrom, under the penalty as above enumerated in this section for not providing means for escape in case of fire or other casualties.

Unlawful to obstruct aisles.

SEC. 2. That original section 7010 of the revised statutes of Ohio be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 1, 1883.

[House Bill No. 671.]

#### AN ACT

Making appropriations for the last three quarters of the fiscal year ending November 15, 1883, and the first quarter of the fiscal year ending February 15, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and are hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums, to wit:

#### *State Board of Agriculture:*

For the encouragement of agriculture, salary of secretary of the board and assistants, expenses of taking quarterly crop reports, farmers' institutes and new agricultural works, six thousand dollars (\$6,000).

For contingent expenses of the office of the board of agriculture, eight hundred dollars (\$800). Said appropriation to be drawn on vouchers approved by the president of the board.

#### *Horticulture:*

For the encouragement of horticulture, to be drawn on vouchers approved by the president of the state board of horticulture, one thousand dollars (\$1,000), and no greater amount of said appropriation shall be drawn for the payment of salaries, or expenses of any of the officers than five hundred dollars (\$500).

#### *Adjutant-General Department:*

For salary of adjutant-general, two thousand dollars (\$2,000).

For salary of assistant adjutant-general, fifteen hundred dollars (\$1,500).

For salary of chief clerk, fourteen hundred dollars, (\$1,400).

For salary of four transcribing clerks, forty-eight hundred dollars (\$4,800).

For salary of superintendent of state arsenal and ordinance clerk, twelve hundred dollars (\$1,200).

For repairs of state arsenal, four hundred dollars (\$400).

For contingent expense and inspection, sixteen hundred dollars (\$1,600).

For care military stores and freight on arms, one thousand dollars (\$1,000).

For paying Ohio National Guards while in camp, twenty thousand dollars (\$20,000).

For uniforms for Ohio National Guards, fifteen thousand dollars (\$15,000).

For transportation and subsistence Ohio National Guards, sixteen thousand dollars (\$16,000).

That no portion of the appropriation for Ohio National Guards while in camp or transportation and subsistence shall be used for defraying expenses outside of the state.

For incidental expenses of military companies (under section 3080 R. S.), seven thousand dollars (\$7,000).

For expenses of batteries and cavalry, seven hundred dollars (\$700).

That the sum of two hundred and six dollars and seventy-five cents (\$206.75), being the balance November 15, 1882, be and the same is hereby re-appropriated for transportation of indigent soldiers to Soldiers' Home.

#### *State House and Grounds :*

For salary of superintendent of laborers, nine hundred dollars (\$900).

For engineer, for six months, six hundred dollars (\$600).

For compensation of two firemen, six months in the year, nine hundred dollars (\$900).

For compensation of police at capitol, seven hundred and twenty dollars (\$720).

For compensation of visitors' attendant, seven hundred and twenty dollars (\$720).

For compensation of janitor of flag room, seven hundred and twenty dollars (\$720).

For compensation of night-policeman, eight hundred dollars (\$800).

For compensation of four regular laborers, two thousand four hundred and ninety-six dollars (\$2,496).

For extra labor, two thousand dollars (\$2,000).

For material and repairs, two thousand dollars (\$2,000).

For fuel for state house, two thousand dollars (\$2,000).

For water rent for state house, one thousand dollars (\$1,000).

For care and for repairing heating apparatus, six hundred dollars (\$600).

*Auditor of State Department :*

For salary of auditor, three thousand dollars (\$3,000).  
 For salary of chief clerk, two thousand dollars (\$2,000).  
 For salary of book keeper, sixteen hundred dollars (\$1,600).  
 For salary of land clerk, fifteen hundred dollars (\$1,500).  
 For salary of railroad and bank clerk, fifteen hundred dollars (\$1,500).  
 For salary of trust fund and canal clerk, fourteen hundred dollars (\$1,400).  
 For salary of statistical clerk, twelve hundred dollars (\$1,200).  
 For furniture and repairs, one hundred dollars (\$100).  
 For contingent expenses, sixteen hundred dollars (\$1,600).  
 To pay bounties of veteran volunteers under the provision of the act of April 16, 1880, five hundred dollars (\$500).

*Attorney-General :*

Salary of attorney-general, fifteen hundred dollars (\$1,500).  
 For salary of clerk, one thousand dollars (\$1,000).  
 For attorney-general's fees on collection, five hundred dollars (\$500).  
 For contingent expenses of office, three hundred dollars (\$300).  
 For attorney's fees employed under section 202 R. S., three hundred dollars (\$300).

*Commissioner of State Common Schools :*

For salary of commissioner, two thousand dollars (\$2,000).  
 For salary of chief clerk, seventeen hundred and fifty dollars (\$1,750).  
 For salary of assistant clerk, twelve hundred dollars (\$1,200).  
 For traveling expenses of commissioner in the discharge of his duties, six hundred dollars (\$600).  
 For contingent expenses of the office, five hundred dollars (\$500).  
 For shipping reports, one hundred dollars (\$100).

*Commissioner of Railroads and Telegraphs :*

For salary of commissioner, two thousand dollars (\$2,000).  
 For salary of clerk, twelve hundred dollars (\$1,200).  
 For contingent expenses, four hundred dollars (\$400).  
 For services of experts to examine railroads and railroad bridges, twelve hundred dollars (\$1,200).

*Fish-Commissioner :*

For the expenses of the commissioner, ten thousand dollars (\$10,000), to be drawn on vouchers approved by the commission, six thousand dollars (\$6,000) of the appropriation to be expended in the distribution of fish in the inland waters of the state; such portion of which as may be necessary may be used for the payment of one half of the salary of officers.

*Ohio River Improvement Commission :*

For expenses of commission, three hundred dollars (\$300).

*Executive Department :*

For salary of governor, four thousand dollars (\$4,000).

For salary of lieutenant-governor, eight hundred dollars (\$800).

For salary of private secretary, eight hundred dollars (\$800).

For salary of executive clerk, fifteen hundred dollars (\$1,500).

For contingent expenses and extra clerk hire, twenty-eight hundred dollars (\$2,800).

For office furniture and repairing same, one hundred and seventy-three dollars and fifty cents (\$173.50).

For painting offices and varnishing cases, two hundred dollars (\$200).

For indexing record from 1831 to 1856, inclusive, thirteen hundred dollars (\$1,300).

*Insurance Department :*

For salary of superintendent, two thousand dollars (\$2,000).

For salary of chief clerk, fifteen hundred dollars (\$1,500).

For salary of book-keeper, twelve hundred dollars (\$1,200).

For salary of corresponding clerk, one thousand dollars (\$1,000).

For salary of mailing clerk, eight hundred dollars (\$800).

For salary of actuary, two hundred and fifty dollars (\$250).

For salary of extra clerks, six hundred dollars (\$600).

For extra clerk, fifteen hundred dollars (\$1,500).

For contingent expenses, sixteen hundred dollars (\$1,600).

For valuation tables, one hundred dollars (\$100).

*Judiciary :*

For salaries of the supreme, superior and common pleas judges, two hundred and four thousand eighty-three dollars and thirty-three cents (\$204,083.33).

*Commissioner of Labor & Statistics :*

For salary of commissioner, two thousand dollars (\$2,000).

For contingent expenses, three hundred and fifty dollars (\$350).

For traveling expenses, two hundred dollars (\$200).

*Legislature :*

For salaries and mileage of members of the General Assembly, per diem of clerks, sergeants-at-arms and employes while the General Assembly is in session, and for the payment of the clerk of the senate and house, after adjournment, as provided in sections thirty-nine, forty-three, forty-five, revised statutes, and for the payment of any other persons or employes, for labor performed or services rendered after



the adjournment of the General Assembly as may be provided for by resolution of the respective branches, one hundred and nine thousand two hundred and twenty-five dollars (\$109,225).

For senate contingent expenses, four hundred dollars (\$400).

For house contingent expenses, six hundred dollars (\$600).

For expenses of legislative committee, six hundred dollars (\$600).

For senate clerk contingent expenses, fifty dollars (\$50).

For house clerk contingent expenses, one hundred dollars (\$100).

For Frederick Blenkner for taking charge of the senate chambers and hall of the house and committee rooms after its adjournment in the spring 1883, until its meeting January 1884, to put the same in condition immediately after adjournment and keep them so, continuously, and prepare them for the meeting of the General Assembly in January, 1884, to take charge of the bill books and other property of the members as requested, six hundred and fifty dollars (\$650); vouchers shall be allowed from month to month for services at the rate of two dollars and fifty cents per day (\$2.50), the same to be approved by the auditor of state.

#### *State Library :*

For purchasing books, magazines and papers, fifteen hundred dollars (\$1,500).

For contingent expenses, six hundred dollars (\$600).

For salary of librarian, fifteen hundred dollars (\$1,500).

For salary of assistant librarian, twelve hundred dollars (\$1,200).

For furniture, three hundred and twenty-five dollars (\$325). The same to be expended under direction of the library commission.

#### *Law Library :*

For salary of librarian, fifteen hundred dollars (\$1,500).

For salary of assistant librarian, one thousand dollars (\$1,000).

For purchase of books for law library, fifteen hundred dollars (\$1,500).

For contingent expenses, one hundred dollars (\$100).

#### *Inspector of Mines :*

For salary of inspector, two thousand dollars (\$2,000).

For salary of assistant inspector, twelve hundred dollars (\$1,200).

For contingent and traveling expenses, twelve hundred dollars (\$1,200).

For carpet, furniture and painting walls, three hundred dollars (\$300).

That the sum of one hundred and ninety dollars (\$190),

being the balance November 15, 1882, be and the same is hereby re-appropriated for attorney's fees.

*Supreme Court:*

For contingent expenses, three hundred and fifty dollars (\$350).

For cleaning court and consultation-room and law library, for painting and repairing same, two hundred and fifty dollars (\$250).

For telephone, sixty dollars (\$60).

For furniture for consultation-room, six hundred dollars (\$600).

For compensation of porter, one hundred and eighty dollars (\$180).

*Clerk of Supreme Court:*

For contingent expenses, four hundred dollars (\$400).

For salary of deputy clerk, twelve hundred dollars (\$1,200).

*Reporter of Supreme Court:*

Salary of reporter, one thousand dollars (\$1,000).

Contingent expenses, one hundred dollars (\$100).

*Treasurer of State:*

For salary of treasurer, three thousand dollars (\$3,000).

For salary of cashier, two thousand dollars (\$2,000).

For salary of two book-keepers, twenty-seven hundred dollars (\$2,700).

For salary of two night watchmen, sixteen hundred dollars (\$1,600).

For contingent expenses, one thousand dollars (\$1,000).

For expenses collecting auditor's drafts, eighteen hundred dollars (\$1,800).

For district telegraph and telephone, eighty-nine dollars and eighty-five cents (\$89.85).

For furniture and new carpet, three hundred dollars (\$300).

For extinguishing lights in state house and state grounds, one hundred and twenty dollars (\$120).

*Secretary of State:*

For salary of secretary, two thousand dollars (\$2,000).

For salary of chief clerk, two thousand dollars (\$2,000).

For salary of statistical clerk, fifteen hundred dollars (\$1,500).

For salary of stationery clerk, thirteen hundred and fifty dollars (\$1,350).

For salary of corporation clerk, thirteen hundred and fifty dollars (\$1,350).

For salary of recording clerk, thirteen hundred and fifty dollars (\$1,350).

For salary of superintendent of packing room, eight hundred dollar (\$800).

For extra clerical labor, fifteen hundred dollars (\$1,500).  
 For distribution of laws and journals, eighteen hundred dollars (\$1,800).  
 For stationery, ten thousand dollars (\$10,000).  
 For printing paper, thirty-five thousand dollars (\$35,000).  
 For contingent expenses, fifteen hundred dollars (\$1,500).  
 For carpet, furniture and repairs, three hundred dollars (\$300).  
 For volumes thirty-eight and thirty-nine Ohio state reports, six hundred and forty-nine dollars and fifty cents (\$649 50).  
 For completing statistical reports of 1882, three hundred dollars (\$300).

*Supervisor of Public Printing :*

For salary of supervisor, seventeen hundred and sixteen dollars and sixty-six cents (\$1,716.66).  
 For contingent expenses, two hundred dollars (\$200).  
 For state printing, twenty-seven thousand dollars (\$27,000).  
 For state binding, twenty-seven thousand dollars (\$27,000).  
 For elevator, embossing press, table shears and folding table, and for repairs, twelve hundred dollars (\$1,200).

*Members of the Board of Public Works :*

For salary members of the board of public works, twenty-four hundred dollars (\$2,400).

No appropriations made in the foregoing section, or any part thereof, shall be drawn for any other purpose than that for which it is made, nor shall any part thereof be drawn to pay deficiencies or debts existing prior to the fifteenth day of February, 1883.

No bills for extra clerk hire (except in the executive department) sprinkling streets, furniture or carpets shall be paid out of the appropriation therein made for contingent expenses.

No money therein appropriated shall be drawn except on a requisition on the auditor of state, approved by the head of each department, which shall set forth the service rendered or the materials furnished and the dates of purchase and time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

*Miscellaneous :*

To Lindsay and brother for tax paid under Pond liquor law, three hundred dollars (\$300).

To Fraimenhein & Vilsack for tax paid under Pond liquor law, two hundred and fifty dollars (\$250).

*Public Works :*

SEC. 2. That there is hereby appropriated from any money coming into the treasury as receipts from the public works the following sums, to wit :

For the maintenance, repair, compensation of superintendent and other employes of the public works, not otherwise herein provided for, the receipts from tolls, rents, fines and other income arising from the public works not otherwise appropriated.

For salary of chief engineer, two thousand dollars (\$2,000).

For salaries of resident engineers, thirty-six hundred dollars (\$3,600).

For attorney's fees, five hundred dollars (\$500).

For contingent expenses, six hundred dollars (\$600), which shall include the expense of janitor.

SEC. 3. That there is hereby appropriated to the Western Reserve and Maumee road whatever money may be collected and paid into the treasury to the credit of said road.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 2, 1883.

[Senate Bill No. 72.]

#### AN ACT

To amend section 3971 of the revised statutes, relating to the powers of boards of education.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section (3971) thirty-nine hundred and seventy-one of the revised statutes of Ohio be amended to read as follows:

**Boards of  
education—  
powers and  
duties.**

Section 3971. The boards of education of all school districts now organized and established, and of all school districts organized under the provisions of this title, shall be and they are hereby declared to be bodies politic and corporate, and, as such, capable of suing and being sued, contracting and being contracted with, acquiring, holding, possessing and disposing of property, both real and personal, and taking and holding in trust, for the use and benefits of such districts, any grant or devise of land, and any donation or bequest of money or other personal property, and of exercising such other powers, and having such other privileges as are conferred by this title; but when a board of education decides to dispose of any property, real or personal, held by it in its corporate capacity, exceeding in value three hundred dollars, it shall sell the same at public auction, after giving at least thirty days' notice thereof, by publication in some newspaper of general circulation, or by posting notices in five of the most public places in the district to which such property belongs. Provided, that upon a vote of a majority of the

members of any board of education, and a concurring vote of the council of any municipal corporation, that an exchange of any real estate held by such board of education for school purposes, for real estate held by such municipal corporation for municipal purposes, will be mutually beneficial to such school district, and to such municipal corporation such exchange may be made by conveyances, to be executed by the mayor and clerk of the municipal corporation, and by the president and clerk of such board of education.

How real estate may be sold or exchanged.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No. 200.]

#### AN ACT

To amend section 125 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one hundred and twenty-five of the revised statutes be so amended as to read as follows:

Section 125. Depositions taken upon interrogatories, upon notice or by consent, and affidavits taken before a commissioner of the state of Ohio may be read in any suit or other proceeding in this state, and shall have the same effect as if taken before a magistrate or officer thereunto authorized, within this state; and all certificates of acknowledgment and proof of execution, made or granted by such commissioner, shall have the same effect as if made or granted by such magistrate or officer; any act heretofore done by any such person appointed and commissioned as such commissioner in Ohio, after the expiration of his term of office by limitation, is and shall be held as valid as if done during his term of office. And such commissioner is entitled to charge and receive for his services under this chapter, the following fees, and no more: for swearing each witness, twenty-five cents; for each one hundred words contained in any deposition and certificate or affidavit taken before him, ten cents; for authenticating, sealing up, and directing each deposition, one dollar; for authenticating each affidavit sworn to before him, one dollar; for taking the acknowledgment and proof of each deed or other conveyance, lease, contract, letter, or power of attorney, or other written instrument, two dollars; and any commissioner who charges or receives any fee or

Effect of depositions taken before commissioner of Ohio.

Fees and penalties.

reward for an act or service done or rendered by him under this chapter greater than the amount herein limited, or who dishonestly or unfaithfully discharges any of his duties as such commissioner, shall be removed from office by the governor, on complaint to him, and such proof as satisfies him that such commissioner is guilty of the official misconduct charged; and he shall forthwith notify the party of such removal, who is thereafter ineligible to re-appointment to the office of commissioner of the state, and he may give such public notice of the removal as he deems necessary or advisable.

SEC. 2. That said original section 125 be and the same is hereby repealed; and this act shall take effect upon its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

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[Senate Bill No. 209.]

#### AN ACT

To amend section 6818 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-eight hundred and eighteen be amended so as to read as follows :

Robbery and  
pocket-pick-  
ing.

Section 6818. Whoever by force or violence, or by putting in fear, steals and takes from the person of another anything of value, is guilty of robbery, and shall be imprisoned in the penitentiary not more than fifteen years nor less than one year, and whoever otherwise than by force and violence, or by putting in fear, shall steal and take from the person of another anything of value, shall be deemed guilty of pocket-picking, and shall be imprisoned in the penitentiary not exceeding five years nor less than one year.

SEC. 2. Said section 6818 be and the same is hereby repealed.

SEC. 3. This act to take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No. 216.]

## AN ACT

To amend an act entitled, "An act to increase the general fund for the support of the common schools, established by the sixth section of the act to establish a fund for the support of common schools, passed March 2, 1831, by the appropriation of the proceeds of the swamp lands to that fund," passed March 24, 1851: 49 v. 40.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section eighty-five hundred and five of the revised statutes of Ohio be amended so as to read as follows:

Section 8505. That the net proceeds that may hereafter be paid into the state treasury, from the sales of swamp lands granted to the state of Ohio by act of Congress passed September 28, 1850, be and the same is hereby appropriated to the general fund for the support of common schools; and the state of Ohio is hereby pledged to pay the interest, annually, on any and all sums of money which may be paid into the state treasury, from the sales of said lands, from the receipt of such money into the treasury aforesaid; and the interest arising as aforesaid shall be funded, annually, until the first day of January, in the year eighteen hundred and fifty-five; after which time the said interest shall be annually distributed to the several counties in this state, in proportion to the number of male inhabitants above the age of twenty-one, as the law shall be ascertained for the apportionment of representatives; and the proportion of interest due to each and every such county shall be distributed for the support of common schools, in the respective counties, in the manner prescribed in the "act to provide for the support and better regulation of common schools."

Proceeds of  
sale of  
swamp lands  
to go to com-  
mon school  
fund.

How funded  
and interest  
distributed.

SEC. 2. That original section 8505 of the revised statutes of Ohio be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No. 243.]

## AN ACT

To amend section 3827 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-eight hundred and twenty-seven of the revised statutes be amended so as to read as follows:

Officers of  
board of  
trade, cham-  
ber of com-  
merce, etc.

Section 3827. The officers of an incorporated board of trade, chamber of commerce or merchants' exchange, shall consist of a president, two vice-presidents, treasurer, secretary, and not less than ten directors, all of whom shall be members of the association, and be engaged in business at, or residents of the city or town where it is established; they shall be elected by ballot at the annual meeting of the association, and shall hold their office for one year, unless said association shall by its by-laws provide a longer term for all or any of said officers and until their successors are elected and qualified; the officers thus selected, together with said directors, shall constitute the board of directors of such association; and all other officers, agents or committees deemed necessary for the interest of the association, shall be elected or appointed in such manner and with such powers as may be provided by the by-laws of the association. And in like manner said association may have the power to provide for the trial, suspension, fine or expulsion of any of its members by the board of directors constituted as herein-before provided. And said association may make provision for the relief and support of the families and dependents of deceased members.

SEC. 2. Said original section 3827 of the revised statutes of Ohio is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No. 195.]

#### AN ACT

To authorize the election of an additional judge of the court of common pleas in the first subdivision of the seventh judicial district of the state of Ohio.

Additional  
judge for 7th  
judicial dis-  
trict. #

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there shall be one additional judge of the court of common pleas in and for the seventh judicial district of the state of Ohio, who shall be a resident of the first subdivision thereof and who shall be elected by the qualified electors of the counties of Fairfield, Perry and Hocking, comprising said first subdivision.

Election and  
term of  
office.

SEC. 2. That the first election for said additional judge shall be held on the second Tuesday in October, A. D. 1884, and his term of office shall commence on the first Monday of December, thereafter, and which additional judge shall again be elected at the annual election in October, A. D. 1889, and every five years thereafter in the same manner and for the



same term of office as is prescribed by the constitution and laws of the state of Ohio, for the election of other judges of said court, and the term of said judge shall begin on the first Monday of December next after said election.

SEC. 3. That it shall be the duty of the sheriff in each county in said subdivision at least fifteen days prior to said second Tuesday in October, A. D. 1884, to give notice by proclamation, as is now provided by law, of the time and place of holding said election, which shall be conducted and the returns thereof made in the same manner as required by law in case of election of judges of the courts of common pleas. Sheriff to give notice.

SEC. 4. That said judges, when elected and qualified, shall receive the same compensation as other judges of said court, and shall also, in every respect, have the same jurisdiction, possess the same powers, discharge the same duties and incur the same penalties as are now or may hereafter be enforced or enjoined by the constitution and laws of the state of Ohio upon other judges of said court. Compensation and jurisdiction.

SEC. 5. That when a vacancy shall occur in the office of said additional judge, whether by the expiration of his term of office or otherwise, said vacancy shall be filled as when a vacancy of the other judges of said court. Vacancy; how filled.

SEC. 6. That this act shall be enforced from and after its passage.

O. J. HODGE,  
Speaker of the House of Representatives.  
R. G. RICHARDS,  
President of the Senate.

Passed March 5, 1883.

[Senate Bill No. 97.]

#### AN ACT

To amend section 3642 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand six hundred and forty-two of the revised statutes of the state of Ohio be amended so as to read as follows:

Section 3642. The directors shall choose from their own number by ballot, a president, and shall fill all vacancies that may arise in the board, or in the presidency thereof; the board of directors, or a majority of them, when convened at the office of the company, may appoint a secretary and any other officers or agents necessary for transacting the business of the company, and pay such salaries and take such securities as they may judge reasonable; they may ordain and establish by-laws and regulations not inconsistent with the constitution and laws of this state and of the Directors of insurance company to elect officers.

By-laws and  
regulations.

United States, as shall appear to them necessary for regulating and conducting the business of the company; but no new by-laws or regulation shall take effect until the same has been approved by the state commissioner of insurance and a copy thereof has been filed in the office of said commissioner, and they shall keep full and correct records of their transactions, which shall, at all times, be open to the inspection of the members or stockholders.

SEC. 2. Section 3642 of the revised statutes of Ohio is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

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[Senate Bill No. 231.]

#### AN ACT

To amend section 3242 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section thirty-two hundred and forty-two of the revised statutes of Ohio be so amended as to read as follows :

Corpora-  
tions for  
profit to give  
notice of  
opening  
books for  
subscription.

Section 3242. The persons named in the articles of incorporation of a corporation for profit, or any five of them, shall order books to be opened for subscription to the capital stock of the corporation at such time or times and at such place or places as they may deem expedient, and of the time and place of opening which books at least thirty days' notice shall be given by publication in a newspaper published or generally circulated in the county or counties where books of subscription are to be opened; provided, that such notice may be waived in writing by all the incorporators, and such waiver shall be entered or copied in the records of said corporation.

Notice may  
be waived.

SEC. 2. That said original section 3242 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No. 181.]

## AN ACT

To amend section 6334 of the revised statutes of Ohio, as amended March 9, 1881 (78 O. L., p. 44).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6334 of the revised statutes of Ohio, as amended March 9, 1881, be amended to read as follows:

Section 6334. The probate court may accept the resignation of any trustee accounting therein, or who has been appointed thereby, or may remove any such trustee for any cause for which the guardian of a minor may be removed, or because the interest of the trust requires such removal; and when the minor for whom the trustee was appointed has, since the appointment, become a resident of the state, and for whom a resident guardian has been appointed, the probate court shall remove such trustee and require an immediate settlement of his account.

When probate court may accept resignation of trustee or remove him.

SEC. 2. Said original section 6334, as amended March 9, 1881, be and the same is hereby repealed.

SEC. 3. This act shall take effect on the next day after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 5, 1883.

[House Bill No. 642.]

## AN ACT

To amend section 6841 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-eight hundred and forty-one of the revised statutes of Ohio be amended so as to read as follows:

Section 6841. Whoever being charged with the collection, receipt, safe-keeping, transfer or disbursement of the public money, or bequest, or any part thereof, belonging to the state, or to any county, township, municipal corporation, board of education, cemetery association or company in this state, converts to his own use, or to the use of any other person, body corporate, association or party whatever, in any way whatever, or uses by way of investment in any kind of security, stock, loan, property, land or merchandise, or in any other manner or form whatever, or loans with or without interest to any company, corporation, association or individual, or deposits with any company, corporation or individual any portion of the public money, or any other funds, property,

Embezzlement of public money.

bonds, securities, assets or effects of any kind, received, controlled or held by him for safe-keeping or in trust for a specific purpose, transfer or disbursement, or in any other way or manner, or for any other purpose, shall be deemed guilty of embezzlement of so much of the money or other property thus converted, used, invested, loaned, deposited or paid out, and shall be imprisoned in the penitentiary not more than twenty-one years nor less than one year, and fined in double the amount of money or other property embezzled, which fine shall operate as a judgment at law on all of the estate of the party sentenced, and be enforced to collection by execution or other process, for the use only of the owner of the property or effects so embezzled, and such fine shall only be released or entered as satisfied by the party in interest as aforesaid.

SEC. 2. That said original section 6841 be and the same is hereby repealed, and this act shall take effect upon its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 6, 1883.

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[House Bill No. 622]

#### AN ACT

To amend section 2933 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-nine hundred and thirty-three of the revised statutes of Ohio be amended so as to read as follows:

Section 2933. Judges of election for each ward precinct of a municipal corporation shall be constituted and chosen as follows:

**How judges  
of election  
for ward pre-  
cincts shall  
be chosen.**

First. If the ward is not divided into precincts, the two councilmen of the ward and the elector who was a member of a political party to which one or both of the councilmen did not belong, who received the highest number of votes for councilmen of those voted for and not elected, at the preceding spring election, shall be judges; but if two or more of such electors not chosen received the same number of votes, the clerk of the corporation shall publicly determine, by lot, which shall be judges of election; judges of election so chosen shall serve as such for one year, and until their successors are chosen and qualified; and the clerk shall issue to them a certificate of election as in other cases.

Second. In every ward divided into election precincts, except in cities having fifteen thousand or more inhab-

itants at the preceding census, the two councilmen shall be judges of election in the precincts in which they respectively reside; and additional judges, so that there shall be three judges at each precinct, shall be chosen as provided in section two thousand nine hundred and thirty-five.

Third. In every ward divided into precincts, in cities having fifteen thousand or more inhabitants at the preceding election, the councilmen shall be judges of election in precinct A thereof; such councilmen shall meet at the mayor's office, on the first Monday of September of each year, at ten o'clock A.M., and shall there appoint two judges of election, of opposite politics, for each of the other precincts of such municipal ward, and the electors of the ward so subdivided shall select a third man to serve as judge of such precinct upon the organization; the persons so appointed shall be electors and residents for at least sixty days in the ward for which they are appointed; the mayor shall forthwith cause notice to be given to each person so appointed, and shall cause a record to be made and kept in his office of such appointments, and the persons so appointed shall act as judges of election in their proper precincts during the period of one year; they shall take the same oath of office, be subject to the same requirements, penalties, liabilities and disqualifications, and entitled to the same compensation as other judges of election; provided, if such municipal ward or wards shall be divided into election precincts, more than sixty days prior to the first Monday in April next thereafter, that the mayor of said city at least twenty days prior thereto, shall appoint the two judges hereinbefore provided for, to act as such in said additional precincts at the coming spring election, which two judges by the mayor so appointed shall be of different politics, and shall be subject to the same requirements, penalties, liabilities and disqualifications as hereinbefore provided, and the mayor shall forthwith notify them of their appointments; they shall designate and appoint two clerks of election, of opposite politics, who shall take an oath of office, and shall perform all the duties, and be subject to all the liabilities as other clerks of election; and if any such judges or clerks fail to attend, at the proper time and place, such judges and clerks and all additional judges and clerks shall be chosen by the electors of the ward. (74 v. 19, §1; 75 v. 58, § 12).

How chosen  
in cities hav-  
ing 15,000 po-  
pulation or  
more.

SEC. 2. That said original section 2933 be and the same is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 6, 1883.

[House Bill No. 727.]

## AN ACT

To amend sections 7357 and 7358 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections seventy-three hundred and fifty-seven and seventy-three hundred and fifty-eight of the revised statutes of Ohio be so amended as to read as follows :

Transcript  
to be fur-  
nished on  
demand and  
tender of  
fees.

Section 7357. On application by or on behalf of the accused to any officer whose duty it is to make a record or docket entries in any such case, and tender of the proper fee, such officer shall make and deliver to the accused or his counsel a complete certified transcript of the record, omitting, if so requested, any bill or bills of exceptions ; or if the prosecution was before a court or tribunal in which a complete record is not made, a certified transcript of the judgment and all entries in the case, and on receipt of a copy of a summons as hereinafter mentioned, shall forward to the clerk of the court the original papers in the case.

Proceedings  
to review to  
be by peti-  
tion in error.

Section 7358. The proceedings to review any such judgment shall be by petition in error, to which shall be attached such transcript, and also any original papers received by the clerk, except that in cases of felony it shall not be necessary to include in the transcript of the record any bill of exceptions, but the original bill of exceptions may be attached in lieu of the transcript of the record thereof. And the court in which the review is sought may, by summary process, compel a more complete record to be furnished, and such original papers to be forwarded.

SEC. 2. That said original sections 7357 and 7358 be and the same are hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 6, 1883.

[House Bill No. 620.]

## AN ACT

To amend sections 2168 and 2170 of the revised statutes of Ohio, as amended February 25, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections twenty-one hundred and sixty-eight and twenty-one hundred and seventy of the revised statutes of Ohio, as amended February 25, 1880, be so amended as to read as follows :

Section 2168. The management of the affairs of all corporation infirmaries now existing or which may hereafter be established, and the care of the inmates thereof, the erection and enlargement of infirmary buildings and additions thereto, and the repair and furnishing thereof, the improvement of the grounds therewith connected, and the granting of outdoor relief to the poor, shall be vested in a board of three directors, which shall be called "the board of infirmary directors": Provided, that in cities of the second grade of the first class, the board of infirmary directors shall consist of five members, not more than three of whom shall be of the same political party.

Board of infirmary directors.

Section 2170. The directors shall be electors and be elected by the electors of the corporation, and shall hold their office for three years, except that at the first election, one of the directors shall be chosen to serve for one year, one for two years, and one for three years, and thereafter one shall be elected annually; and the directors shall receive such compensation as the city council may, by ordinance, provide; Provided, that in cities of the first grade of the first class, the mayor thereof shall appoint three directors who shall hold their offices, one for one year, one for two years, and one for three years, from the next municipal election, and thereafter one director shall be elected annually for a term of three years, as hereinafter prescribed; but if a vacancy in the office of any of the said appointees shall occur, from any cause other than the expiration of his term, the mayor shall appoint some suitable person to hold the office until the next annual municipal election, when a successor shall be elected to serve for the unexpired term. The directors so appointed, and their successors, shall be paid from the infirmary fund of the cities, aforesaid, the same compensation as was heretofore allowed such officers in such cities. Each board so appointed, shall forthwith enter upon the discharge of its duties, taking full control of the infirmary, and providing the necessary officers and employes to properly conduct the same. Provided, further, that in cities of the second grade of the first class, the board of infirmary directors shall consist of five members, to be appointed by the mayor, with the approval of the council, to hold office for the term of five years, except at the first appointment under this act, one shall be appointed for one year, one for two years, one for three years, one for four years, and one for five years, and thereafter one shall be appointed annually, and the term of office of the present directors in said cities of the second grade of the first class, shall cease and determine upon the appointment and qualification of the directors herein provided for said last named cities, and for all contracts of said last mentioned directors to the amount of five hundred dollars or more, the approval of the council shall first be obtained.

How elected; term, and compensation of.

In certain cities how appointed.

SEC. 2. That said sections 2168, and 2170 of the revised statutes of Ohio, as amended February 25, 1880, be and the

same are hereby repealed, and this act shall take effect and be in force from its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 559.]

#### AN ACT

To amend section 6454 of the revised statutes of Ohio, as amended March 9, 1880, and March 9, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section six thousand four hundred and fifty-four of the revised statutes of Ohio, as amended March 9, 1880, and March 9, 1882, be so amended as to read as follows:

In what  
counties pro-  
bate court  
to have crim-  
inal jurisdic-  
tion.

Section 6454. The probate court shall have jurisdiction, concurrent with the court of common pleas, in all misdemeanors and in all proceedings to prevent crime in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, and Pike.

SEC. 2. That said original section six thousand four hundred and fifty-four, as amended March 9, 1880, and March 9, 1882, be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 575.]

#### AN ACT

To amend section 4918 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four thousand nine hundred and eighteen be so amended so as to read as follows:

Abandoned  
toll-road to  
become free  
road.

Section 4918. When a toll road, or part thereof, has been heretofore or shall be hereafter declared abandoned and vacated as aforesaid, it shall thereafter become a free road, to be kept in repair as provided in chapter ten.



SEC. 2. Said original section 4918 is hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 476.]

# AN ACT

To amend sections 1929, 1930, 1932, 1934 and 1939 of the revised statutes of Ohio.

[CITIES OF SECOND GRADE OF THE FIRST CLASS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 1929, 1930, 1932, 1934 and 1939 of the revised statutes of Ohio be so amended as to read as follows:

Section 1929. The board shall have power, at any time, to appoint a superintendent of the police force, a deputy superintendent of police, a captain of police, and an additional captain for each fifty patrolmen more than the first fifty, a lieutenant of police for each twelve patrolmen, and a sergeant of police for each police precinct, and also regular or compensated patrolmen, not exceeding one for each seven hundred and fifty inhabitants; but the number of patrolmen may be increased with the consent of the council, and the board shall have power to appoint patrolmen on probation, and discharge them at any time within six months from the date of appointment; provided, that if demanded by such patrolman, the cause of his discharge shall be assigned him by the board in writing; and the board shall have the power, in cases of emergency, to appoint as many special patrolmen as it may think proper, which appointments shall be reported to, and be subject to the action of the city council at its next meeting.

Appoint-  
ment of offi-  
cers and  
members of  
police force.

Section 1930. The board may, from the members of the force, appoint detectives, not exceeding ten in number, who shall act as secret police or detectives, one of whom shall be detailed as chief detective, bearing the rank of captain, and when from any cause a vacancy exists in the number so first appointed, the board may appoint to such vacancy the patrolman, which the record, required to be kept as hereinafter provided, shows to be the most meritorious; and the board may at any time, when they deem it for the greater efficiency of the force, relieve any of said detectives from detective duty and assign them to such position and service in the force as

Secret police  
detectives,  
etc.

it may deem advisable, and change their pay to the pay of the rank or grade assigned them; provided, however, that no change or removal shall be made, except for cause, to be assigned on a public hearing and on due notice according to the rules to be promulgated by the board; and the board shall also appoint such suitable persons to act as door-men, janitors, attorney of police, police surgeon, and telegraph and telephone operators as the demands of the service may require, who shall receive such compensation as the board may determine, in no case, however, exceeding the salary of patrolmen. All powers and orders of the police court shall be directed to the superintendent of police, and shall be executed by any person appointed for said purpose by the board, and the board shall, from the member of the force, appoint such number of suitable persons as may be necessary to attend the sittings, preserve order, and execute all process and orders of the police court, and such persons shall be the special deputies of the superintendent of police.

**Power of board.**

Section 1932. The board shall have the entire control of the police force of the city, possess full power and authority over the police organization, government, appointments and discipline within the city, have the custody and control of all public property, books, records and equipments belonging to the police department, and have power to erect and maintain all such lines of telegraph or other means of communication, and procure all such equipments for the rapid transportation of police from one point to another in such places within the city as for purposes of police the board deems necessary, whenever the council authorizes the establishment of such telegraph line or lines, or other means of communication, or the procuring of said equipments and provides for the costs thereof; provided, the board may use for such purposes the police court funds, subject to the conditions and restrictions contained in section 1959 of the revised statutes.

**General duties of police.**

Section 1934. The board of police and the force hereby constituted shall at all times of the day and night, within the boundaries of the city, and as far as the board may deem necessary for the welfare of the city, within the county, preserve the public peace, prevent crime, arrest offenders, protect rights of persons and property, guard the public health, preserve order, remove nuisances existing in streets, roads, places and highways, report all leaks or other defects in water pipes and sewers to the proper authorities, provide a proper force at every fire, in order that thereby the firemen and property may be protected, protect strangers and travelers at steamboat and ship landings, and railway stations, and generally obey and enforce all ordinances of the city council, criminal laws of the state and of the United States.

**Compensation and salaries.**

Section 1939. The superintendent shall receive a salary not exceeding twenty-five hundred dollars per annum, the deputy superintendent shall receive a salary not exceeding two thousand dollars per annum, each captain shall receive a salary not exceeding fifteen hundred dollars per annum,

each lieutenant and detective a salary not exceeding twelve hundred dollars per annum, each sergeant a salary not exceeding one thousand dollars per annum, and each patrolman a salary not exceeding nine hundred dollars per annum; provided, the board shall have power to detail one or more patrolmen to the superintendent of police or secretary of the board, who shall receive a salary not exceeding one thousand dollars per annum, the pay in all cases to be fixed by the board and the salaries to be paid monthly to the persons entitled thereto; provided, further, the board may also appoint not more than two women to be detailed at the central station to perform such duties as may be assigned them by said board; the appointment and salary of such women to be governed by the rules and regulations governing the appointment and salary of door-man of the police department.

May appoint  
two women.

SEC. 2. That said original sections 1929, 1930, 1932, 1934 and 1939 are hereby repealed.

SEC. 3. That this act shall be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 446.]

#### AN ACT

To amend section 3776 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section three thousand seven hundred and seventy-six of the revised statutes of Ohio be amended so as to read as follows :

Section 3776. When any real estate has been purchased by or conveyed to trustees for the use of churches or congregations, as sites for meeting-houses to be erected thereon, and such churches or congregations have erected houses of worship thereon, but no power is possessed by such trustees to convey such real estate to such congregations, or to the trustees thereof, such trustees may convey such improved sites to the trustees of such congregations; provided, however, that where an incorporated religious congregation, society, association, sect, or denomination use or occupy as and for a place of worship, real estate which is held in trust for such religious congregation, society, association, sect, or denomination, or the members thereof, as and for a place of worship, and a judgment has been, or may be, recovered against such incorporation, the said real estate, together with such edifice and improvements thereon, shall, by a civil action for that purpose, be subjected to the payment of such judgment and costs.

When trustees may convey church sites to congregation.

Church site subject to payment of judgment.

SEC. 2. That said original section thirty-seven hundred and seventy-six is hereby repealed.

SEC. 3. This act is to take effect from and after its passage. <sup>a</sup>

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 7, 1883.

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[House Bill No. 274.]

AN ACT

To amend section 2295 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-two hundred and ninety-five of the revised statutes of Ohio be amended so as to read as follows:

Unpaid assessments to be certified to auditor.

Section 2295. The council may order the clerk or other proper officer of the corporation to certify any unpaid assessment or tax to the auditor of the county in which the corporation is situated, and the amount of such assessment or tax so certified, shall be placed upon the tax-list by the county auditor, and shall, with ten per cent. penalty to cover interest and cost of collection, be collected with and in the same manner as state and county taxes, and credited to the corporation; provided, that the said ten per cent. penalty shall in no case be added unless at least thirty days shall intervene between the date of the publication of the ordinance making the levy and the time of certifying the same to the county auditor for collection.

SEC. 2. That said original section 2295 is hereby repealed.

SEC. 3. That this act shall be in force from its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 7, 1883.

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[House Bill No. 542.]

AN ACT

To amend section 2289 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That original section (2289) twenty-two hundred and eighty-nine of the revised statutes of Ohio be amended so as to read as follows:

Section 2289. If in any such action it shall appear that by reason of any technical irregularity or defect—whether in the proceedings of the board of improvements, or of the council, or of any other officer of the corporation, or in the plans or estimates—the assessment has not been properly made against any defendant or upon any lot or parcel of land sought to be charged, the court may, nevertheless, on satisfactory proof that expense has been incurred which is a proper charge against such defendant, or lot or parcel of land in question, render judgment for the amount properly chargeable against such defendant or on such lot or land, but in such cases the court shall make such order for the payment of the costs as may be deemed equitable and proper.

Costs, in case of error or defect in proceedings.

SEC. 2. That said original section 2289 be, and the same is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 9, 1883.

[House Bill No. 711.]

#### AN ACT

To amend section 6391 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-three hundred and ninety-one of the revised statutes be amended so as to read as follows:

Section 6391. A certificate of every marriage hereafter solemnized, whether authorized by publication of bans in the congregation, or by license issued by a probate judge, or after notice given to the congregation, signed by the justice or minister solemnizing the same, or the clerk of the monthly meeting, shall be transmitted to the probate judge in the county wherein the marriage license was issued, or the congregation wherein said bans were published is situated or marriage was celebrated, within three months thereafter, and recorded by such probate judge; every justice or minister or clerk of the monthly meeting, failing to transmit such certificate to the probate judge in due time, shall forfeit and pay fifty dollars, and if the probate judge shall neglect to make such record, he shall forfeit and pay fifty dollars to and for the use of the county.

Certificate of marriage must be transmitted to probate judge and recorded.

SEC. 2. Said original section 6391 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 9, 1883.

[House Bill No. 508.]

## AN ACT

To amend amended sections 2766, 2806 and 2807, and to re-enact sections 2808, 2809 and 2810, of the revised statutes of Ohio (77 v., 191), and to provide for an annual state board of equalization for incorporated banks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2766, 2806 and 2807, as amended April 13, 1880 (77 v., 191), be further amended so as to read as follows :

Auditor to fix value of bank shares and report to board of equalization.

Section 2766. Upon receiving such report, the county auditor shall fix the total value of the shares of such banks according to their true value in money, and deduct from the aggregate sum so found the value of the real estate included in the statement of resources as the same stands on the duplicate, and thereupon he shall make out and transmit to the annual state board of equalization for incorporated banks a copy of the report so made by the cashier, together with the valuation of such shares as so fixed by the auditor.

Duties of auditor and state board of equalization.

Section 2806. The county auditor shall lay before each of the above-named boards, for the territory they respectively have jurisdiction over, the returns of the assessors for the current year, and such returns as are required to be made to the county auditor as is provided in section 2744, and also the valuation of the real estate as the same was entered on the duplicate of the preceding year, or as fixed by the state board of equalization, with such maps, returns, lists, abstracts and other papers that may be in the auditor's office pertinent to their duties, and each of said boards shall keep a regular journal of its proceedings, which shall be deposited with the auditor.

How to equalize assessments.

Section 2807. The said boards shall hear complaints and equalize the assessments of all personal property, moneys and credits, new entries and new structures returned for the current year, by the township assessors and county auditors ; and they shall have power to add to or deduct from the valuation of the personal property, or moneys or credits, of any person returned by the assessor or county auditor, or which may have been omitted by them, or to add other items upon such evidence as shall be satisfactory to the said boards, whether said return be made upon oath of such person or upon the valuation of the assessor or county auditor, but when any addition shall be ordered to be made to any list returned under oath, a statement of the facts on which such addition was made shall be entered on the journal of the boards, and when any reduction shall be ordered to be made in the amount of personal property, or moneys and credits of any person, whether such return be made by such person or by the assessor or county auditor, a statement of the facts on which such reduction was made shall be entered on the journal of the boards.

SEC. 2. That original sections 2808, 2809 and 2810, revised statutes, providing for an annual state board of equalization

for incorporated banks, repealed April 13, 1880 (77 v., 191), be and the same are hereby re-enacted and restored, and shall be re-numbered as sections 2808, 2809 and 2810, and shall read as follows :

Section 2808. The governor, auditor of state, and attorney-general shall constitute a board for the equalization of the shares of incorporated banks, and for this purpose they shall meet on the third Tuesday of June, annually, at the office of the auditor of state, and examine the returns of said banks to the county auditors and the value of said shares as fixed by the county auditors, as the same shall have been reported by the county auditors to the state auditor.

State board  
for banks;  
how consti-  
tuted.

Section 2809. Said board shall hear complaints and equalize the value of said shares according to the rules prescribed by their title for valuing and equalizing the values of real and personal property, and if in the judgment of the board, or a majority of them, the aggregate value of all the bank property so reported to said board by the county auditors is below its true value in money, they may increase or diminish the value of said shares by such a per cent. as will equalize said shares to their true value in money; provided, that said board shall not increase or reduce the grand aggregate value of bank shares as returned by the several county auditors, by more than twenty (20) per centum.

Powers of  
board.

Section 2810. The auditor of state shall forthwith, after such equalization shall have been made, certify to the auditors of the proper counties the valuation, as equalized, of the shares of banks situated in such counties, which valuation shall be put on the proper tax-list.

State auditor  
to report to  
county audi-  
tors.

SEC. 3. That sections 2766, 2806 and 2807 of the revised statutes, as amended April 13, 1880, be and the same are hereby repealed.

SEC. 4. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 9, 1883.

[House Bill No. 509.]

#### AN ACT

To amend section 3309a of the revised statutes of Ohio, as amended April 19, 1881 (78 O. L., 230), and to repeal section 2 of an act entitled "an act to amend section 3309a of the revised statutes of Ohio", passed April 14, 1880 (78 O. L., 230).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3309a of the revised statutes of Ohio, as amended April 19, 1881, be so amended as to read as follows :

Railroad  
companies  
may borrow  
money on  
bonds, etc.,  
in lieu of  
issuing pre-  
ferred stock.

Section 3309a. Any railroad company now or hereafter organized under the laws of this state, and any such company consolidated with other companies, as provided in sections 3379, 3380, 3381 and 3382 of the revised statutes, may, at a meeting of its stockholders called as provided in section 3308 in lieu of issuing preferred stock as provided in section 3309, provide for borrowing money to locate, construct and equip its proposed line of railway and for the purpose of leasing or purchasing branch or connecting roads constructed or in process of construction, not exceeding ten miles in length, for such amount as it may deem necessary and proper, sufficient to locate, construct and equip said line of road, and for the purpose of leasing or purchasing branch or connecting roads constructed or in process of construction, not exceeding ten miles in length, and at such rate of interest as may be agreed upon between the respective parties, not exceeding seven per cent. per annum, payable semi-annually or quarterly, as they may direct, and may issue bonds, debentures, or promissory notes therefor, and to secure the payment thereof may pledge the entire property and net income of such company by mortgage or otherwise. Said bonds, debentures or notes may be expressed in dollars or in the currency of the country where disposed of, and may be disposed of upon such terms and at such prices as may be agreed upon between the respective parties, not inconsistent with the laws of this state. The proceeds of a sale of which bonds shall be applied only as now required by law; Provided, that nothing in this section or in the sections of the revised statutes relating to railroad companies prior to section 3437, other than in sections thirty-two hundred and eighty-seven, thirty-two hundred and eighty-eight, and thirty-two hundred and eighty-nine shall be construed as affecting street railroads.

SEC. 2. That section 3309a, as amended April 19, 1881, and section 2 of an act entitled, "an act to amend section 3309a of the revised statutes of Ohio", passed April 14, 1880 (O. L., vol. 77, p. 206), passed April 19, 1881 (O. L., vol. 78, p. 230), be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HORR,

*President pro tem. of the Senate.*

Passed March 13, 1883.



[House Bill No. 636.]

## AN ACT

To amend section 296 of the revised statutes of Ohio, relative to maps of mines.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two hundred and ninety-six of the revised statutes of Ohio be amended so as to read as follows:

Section 296. The owner or agent of any mine having an excavation of not less than fifteen thousand cubic yards, shall make, or cause to be made, an accurate map or plan of the working of such mine on a scale of not less than two hundred feet to the inch, showing the area mined or excavated, and the location and connection with such excavation of the mine, of the lines of all adjoining lands, and the name or names of each owner or owners, so far as known, marked on each tract, and the owner or agent shall annually thereafter make, or cause to be made, an addition to said map, showing the progress and plan of the working of such mine during the previous year up to the date of survey; provided, that said additions shall be made semi-annually whenever the mine inspector deems it necessary and so directs. The map shall be kept at the office of such mine, and open to the inspection of the mine inspector, or his assistants, at all reasonable times, and at the request of the inspector the owner or agent shall file a correct copy of such map with said mine inspector at Columbus, and in case of refusal on part of the owner or agent to make and file such map, the inspector is authorized and required hereby to cause such map or maps to be made in duplicate, at the expense of said owner or agent, the cost of which shall be recoverable against the owner or agent in the name of the state mine inspector; and in case of refusal by said owner or agent to make, or cause such map and the additions thereto to be made, for sixty days after notice by the mine inspector, said agent or owner shall be liable to a fine of five dollars for each and every day until said map is made, which shall be collected in the name of the state of Ohio, at the suit of the state mine inspector, and the amount so recovered shall be paid into the township school fund of the township when collected. And when any mine is exhausted or abandoned, and before the pillars are drawn in any portion of the mine, the owner or agent thereof shall cause to be made a correct map of such mine, showing the area and working of the same to the day of abandoning, or of drawing pillars for the purpose of abandoning, and file such map within ninety days thereafter at the office of the county recorder in the county where such mine is located; said map shall have attached thereto the sworn certificate of the mining engineer making the map, and of the mine boss in charge of the underground workings of said mine; such map shall be properly labeled and filed by the recorder, and be preserved as a part of the records of the land on which

Owner of a mine shall furnish a map of his mine, etc.

Penalty for refusing.

such mines are located, and the recorder shall receive for said filing from said owner or agent a fee of fifty cents.

SEC. 2. Said original section 296 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 13, 1883.

[Senate Bill No. 311.]

# AN ACT

To amend an act passed February 16, 1883, to regulate the levying of taxes for road and bridge purposes in certain counties.

[DEFIANCE COUNTY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act passed February 16, 1883, to regulate the levying of taxes for road and bridge purposes in certain counties be amended so as to read as follows:

Additional  
levy shall be  
made in cer-  
tain counties  
for road and  
bridge pur-  
poses.

Section 1. That it shall be the duty of the commissioners in each of the counties of the state having a population at the last federal census of twenty-two thousand five hundred and fifteen, or which shall hereafter at any subsequent federal census have a population of twenty-two thousand five hundred and fifteen, to annually, at their March session, make a levy, not to exceed three mills on each dollar of valuation on all the taxable property in such counties for road and bridge purposes; and that in such counties it shall be the duty of the commissioners to construct and keep in repair all necessary bridges over streams and public canals on all state and county roads, free turnpikes, and improved roads in common public use.

SEC. 2. That so much of sections 860, 2824 and 4938 of the revised statutes of Ohio, as conflicts with this act, is hereby superseded and declared to be wholly inoperative in the counties described in this act.

SEC. 3. That said original act, passed February 16, 1883, be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[Senate Bill No. 236.]

## AN ACT

To amend section 6963 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-nine hundred and sixty-three of the revised statutes of Ohio be amended so as to read as follows:

Section 6963. Whoever kills any wild deer before the fifteenth day of October, one thousand eight hundred and eighty-five, at any time, or kills any wild deer after said date, except between the fifteenth day of October and the twentieth day of November, shall be fined not more than one hundred nor less than twenty-five dollars, or imprisoned not more than thirty nor less than ten days, or both, and one half of the fine imposed shall be paid to the informer.

Penalty for  
killing wild  
deer at cer-  
tain seasons.

SEC. 2. Said original section 6963 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 806.]

## AN ACT

Supplementary to an act entitled "an act to regulate the construction, enlargement, changes in and conduct and management of water works in certain cities, and to authorize the issue of bonds in connection therewith", passed January 18, 1881 (O. L., vol. 78, p. 11), and the act amendatory thereto, passed April 19, 1881 (O. L., vol. 78, p. 41.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second class, third grade, in which water works have been wholly or partially constructed, and in which a board of trustees has been elected therefor, is hereby authorized and empowered to enlarge and extend said works or change the plan or plans of construction thereof; and the city council of any such city, for the purpose of any such enlargement, extension or change, is hereby authorized to issue the bonds of the city, not exceeding in the aggregate twenty-five thousand dollars, in addition to the amounts authorized to be issued by the acts to which this act is supplementary. The bonds herein authorized to be issued may run any length of time not exceeding

Certain  
cities au-  
thorized to  
enlarge  
water works.

May issue  
bonds there-  
for.

thirty years, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, to be issued, signed and sold according to law, and the proceeds thereof to be applied to defray the costs and expenses of the enlargement, extension or changes of said water works, and for no other purpose whatever. The city council of any such city exercising the powers herein conferred shall be subject to all the provisions of the act to which this act is supplemental, except as otherwise herein provided.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 606]

AN ACT

To amend section 2135 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-one hundred and thirty-five of the revised statutes of Ohio be so amended as to read as follows :

Powers of  
board of  
health; gra-  
tuitous vac-  
cination, etc.

Section 2135. The board of health may take measures and supply agents, and afford inducements and facilities for gratuitous vaccination and disinfection, may afford medical relief to and among the poor of the corporation as in its opinion the protection of the public health may require, and during the prevalence of any epidemic may provide temporary hospitals for such purposes; and the said board is hereby required to inspect semi-annually, and oftener if in the judgment of the board it shall be deemed necessary, the sanitary condition of all schools and school buildings within the limits of the corporation.

SEC. 2. This act shall take effect and be in force from and after its passage; and section two thousand one hundred and thirty-five (2135) is hereby repealed.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 641.]

## AN ACT

To authorize the councils of certain cities designated therein to borrow money for the construction and operation of water-works, for domestic, fire, and other purposes in said cities, and to issue bonds therefor.

[HAMILTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city, which had by the last federal census a population of twelve thousand one hundred and not exceeding twelve thousand three hundred, is hereby authorized and empowered to issue the bonds of said city, not to exceed the sum of three hundred thousand dollars, and the money derived therefrom to be applied in the manner now required by law in the construction and operation by said city of water-works for fire protection, domestic and other purposes therein. Said bonds shall be signed by the mayor and clerk of said city; shall bear a rate of interest not exceeding six per cent. per annum, interest payable semi-annually and the principal payable within not more than thirty (30) years, nor not less than ten (10) years, from the date of the issue thereof, in such sums, at such times, and in such manner as council may determine before the issue of said bonds; said bonds shall not be sold or otherwise disposed of at less than their par value.

Certain cities authorized to issue bonds to construct water works.

SEC. 2. For the purpose of paying said bonds and interest as the same become due, said council is hereby authorized and required to levy a tax annually on all the taxable property within said city, not exceeding two mills on the dollar in any one year in addition to the amount otherwise allowed by law for municipal purposes; and such works shall be built upon the reservoir plan and otherwise constructed and operated in the manner provided by the revised statutes of this state; and it is hereby further provided, that all moneys derived from said bonds shall be set apart and known as the water-works fund, and shall be used and appropriated only for the purchase of real estate and construction and operation of said works and costs incident thereto, and said council is hereby authorized and empowered to invest, from time to time, any money in said fund in United States bonds, or bonds of the State of Ohio, Butler county, or city of Hamilton, and all interest and earnings arising therefrom in like manner to create thereby a sinking fund for the payment of said bonds and interest as they mature.

Levy of two mills additional to pay bonds.

To be built on reservoir plan.

Surplus, how invested.

SEC. 3. This act to take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 752.]

## AN ACT

To supplement section 3941 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section thirty-nine hundred and forty-one of the revised statutes of Ohio, and numbered as follows:

Local directors to designate site for school-house.

Board of education to make estimate.

Proceedings if board fail.

Section 3941a. Where, in any joint sub-district heretofore established by proceedings in the probate court, there is no suitable school-house, and no site has been designated whereon to erect such building, the local directors, or a majority of them, of such joint sub-district, are hereby authorized and required to designate a site for such school-house, and report the same to clerks of the boards of education of the several townships having territory in such joint sub-district. And the board of education of the township in which such school-house site shall be located, shall, at its next meeting thereafter at which it may make the annual estimates and levies for school purposes, make the necessary estimate to purchase such school-house site, and to erect and furnish a suitable school-house thereon, according to the provisions of section thirty-nine hundred and sixty-one. And if such board of education fail to make and report such estimate to the county auditor before the first Monday of June next thereafter, the county commissioners of such county shall, at the request of the majority of the local directors of such joint sub-district, make such estimate and levy and report the same to the county auditor. And such levy shall be made and the money collected in like manner as the funds are levied and collected for other joint sub-districts.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 871.]

## AN ACT

Making an appropriation to cover the expenditures of the board of public works.

To pay labor upon canals, salaries, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund the following sums for the purposes herein named, to-wit: for labor performed upon the canals of the state, and salaries of superintendents up to February 1, 1883, five

thousand seven hundred and forty-three dollars and eighty-six cents (\$5,743.86); for materials furnished prior to February 1, 1883, twelve thousand two hundred and seventy-two dollars and eleven cents (\$12,272.11), payable on the following accounts and in the following manner: Ohio canal, five thousand four hundred and five dollars and thirty-two cents; Muskingum Improvement, twelve hundred and seventy-six dollars and sixty-one cents; Hocking canal, four hundred and sixty-six dollars and seventy cents; and Miami and Erie canal, ten thousand eight hundred and sixty-seven dollars and thirty-four cents.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 16, 1883.

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[Senate Bill No. 152.]

AN ACT

Making appropriations to meet a certain deficiency therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sum, to meet a deficiency arising in the year commencing February 15, 1880, and ending February 15, 1881: the sum of four thousand and thirty-two dollars (\$4,032), payable to the trustees of the Montgomery county children's home, to pay for the support of thirty-six orphan children of deceased soldiers and sailors, said orphan children having been in said Montgomery county children's home at that time.

To meet deficiency of Montgomery county children's home.

SEC. 2. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[Senate Bill No. 211.]

## AN ACT

Supplementary to section 2408 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section two thousand four hundred and eight of the revised statutes of Ohio, with sectional numbering as therein contained :

Council of  
certain cities  
to appoint  
water-works  
trustees.

Section 2408a. In cities of the second grade of the second class the trustees of the water-works shall hereafter be appointed by the city council of such city by a majority vote at its last regular meeting in March annually; no more than two of such trustees shall be from the same political party, and they shall hold their offices for the term provided, have all the powers conferred and perform all the duties required by chapter one, division eight and title twelve of the revised statutes; provided, that the trustees now in office shall serve out their respective terms, and that the first appointment under this act shall be made in 1883.

SEC. 2. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[Senate Bill No. 250.]

## AN ACT

To amend section 4635 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-six hundred and thirty-five be amended so as to read as follows :

Alterations  
in state  
roads estab-  
lished.

Section 4635. That all alteration of state roads heretofore or hereafter made and established, shall form a part of said road, and so much of the original road as lies between points at which the alterations intersect shall be and remain vacated.

SEC. 2. Said section 4635 is hereby repealed.

SEC. 3. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.



[Senate Bill No. 245.]

## AN ACT

To amend section 4669 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-six hundred and sixty-nine of the revised statutes be amended so as to read as follows:

Section 4669. All alterations of county roads heretofore made and established, or which shall hereafter be made and established, shall be and remain part of such roads; and so much of the original roads as lie between the points where such alterations intersect said original roads shall be and remain vacated.

Alterations  
in county  
roads estab-  
lished.

SEC. 2. Section 4669 is hereby repealed, and this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 578]

## AN ACT

To amend sections 1756 and 1757 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections seventeen hundred and fifty-six and seventeen hundred and fifty-seven of the revised statutes of Ohio be amended so as to read as follows:

Section 1756. He shall, on or before the third Monday in March of each year, make and enter in the record book of the corporation, a detailed statement of all the receipts and expenditures, the number and amount of bonds issued, and for what purpose, of the corporation for the preceding year, stating from what sources the money was received, and to whom paid, and for what purposes expended, and showing the exact condition of the several funds of the corporation, and all outstanding liabilities, if any, to whom due, and for what purpose.

City clerk to  
make de-  
tailed state-  
ment of re-  
ceipts and  
expendi-  
tures.

Section 1757. He shall cause a copy of said detailed statement, which shall be approved by the mayor, to be posted at the places of holding elections for officers of the corporation, on the first Monday of April, annually; any incorporation having a population of over two thousand (2000), the clerk shall have same published once in some newspaper published or of general circulation in the corporation, at least five days prior to the first Monday of April; and, upon the order of the council, the clerk shall, at any time, furnish to it a detailed statement of all receipts and disbursements,

Statement to  
be posted at  
voting pre-  
cincts, or  
published in  
newspaper.

**Penalty for neglecting.** for such periods as it may require. Any clerk refusing or neglecting to conform to the provisions of this and the next preceding section, shall be fined by the mayor, or police court, as the case may be, not more than thirty dollars or less than twenty-five dollars, for the use of the corporation. The provisions of sections 1756 and 1757 shall not apply to any municipal corporation that publishes annually a detailed statement of the receipts and expenditures in book form or in any other printed manner.

**Publication in book form sufficient.**

SEC. 2. Original sections 1756 and 1757 are hereby repealed.

SEC. 3. This act shall take effect on its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 21, 1883.

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[House Bill No. 650.]

AN ACT

To amend section 2706 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-seven hundred and six of the revised statutes of Ohio be amended so as to read as follows :

**Form and requisites of municipal bonds, etc.**

Section 2706. All bonds, notes or certificates of indebtedness issued by municipal corporations shall be signed by the mayor and by the auditor, comptroller or the clerk thereof, and be sealed with the seal of the corporation; and when issued for street improvements shall have the name of the street or portion thereof so improved, and for which the same were issued, legibly written or printed upon them.

SEC. 2. That said section 2706 be and the same is hereby repealed; and this act shall be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 21, 1883.

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[House Bill No. 640.]

AN ACT

To amend section 5782 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section fifty-seven hundred and eighty-two be amended so as to read as follows :

Section 5782. It shall be sufficient, in such action, if the defendant in his answer deny generally the title alleged in the petition, or that he withholds the possession; but if he deny the title of the plaintiff, possession by the defendant shall be taken as admitted, and when he does not defend for the whole premises, the answer shall describe the particular part for which defense is made, and the defendant may further set forth in his answer such other and further grounds of defense, counter claim and set-off, as he has or might have in any other form of action, whether they are such as have heretofore been denominated legal or equitable, or both.

Answer to  
petition in  
action for  
land.

SEC. 2. That original section 5782 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 734.]

#### AN ACT

To amend section 6024 of the revised statutes of Ohio.

SECTION. 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty hundred and twenty-four of the revised statutes of Ohio be so amended as to read as follows:

Section 6024. At any time within one year after the return of an inventory any person interested in the estate may file exceptions to the inventory; and, thereupon, the court shall set a day for the hearing thereof, and cause written notice of such filing and of the time so fixed for the hearing to be given to the executor or administrator, not less than five days before the time so fixed for the hearing; and for good cause the hearing may be continued for such time as the court shall deem reasonable; and at the hearing the executor or administrator, and any witness subpoenaed by either party, may be examined under oath, and the court shall enter its finding on the journal and tax the costs as may be equitable; and an appeal may be taken to the court of common pleas, by either party, from any finding, order, judgment or decision of the probate court on the hearing of said exceptions to the inventory, as in other cases.

Exceptions  
to inventory

May be ap-  
pealed to  
common  
pleas.

SEC. 2. That said original section sixty hundred and twenty-four be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 22, 1883.

[House Bill No. 529.]

## AN ACT

Providing for the sale of public bonds.

Sale of public bonds must be advertised.

Bonds must be sold at par.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all bonds issued by boards of county commissioners, boards of education, commissioners of free turnpikes, shall be sold to the highest bidder after being advertised three times, weekly, in a newspaper having a general circulation in the county where the bonds are issued; and if the amount of bonds to be sold exceeds twenty thousand dollars, then in an additional newspaper having a general circulation in the state, three times, weekly. The advertisement shall state the total amount of bonds to be sold, the amount of each bond, how long they are to run, the rate of interest to be paid thereon, whether annually or semi-annually, the law or section of law authorizing their issue, the day, hour and place in the county where they are to be sold. None of said bonds shall be sold for less than the face thereof, with any interest that may have accrued thereon; and the privilege shall be reserved of rejecting all or any bids, and if said bids are rejected said bonds shall again be advertised; all moneys arising from premiums on the sale of said bonds, as well as the principal, shall be credited to the fund on account of which the bonds are issued and sold.

SEC. 2. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 22, 1883.

[House Bill No. 279.]

## AN ACT

To amend section 1522 of the revised statutes of Ohio, relative to agricultural statistics.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1522 of the revised statutes of Ohio, be amended so as to read as follows:

Statistics to be gathered and returned by assessors.

Section 1522. The assessor shall, annually, at the time of taking the lists of personal property for taxation, require and take for each person, company and corporation in his township or precinct the statements following, verified by oath, for the preceding year:

## AGRICULTURE.

The number of sheep killed by dogs, and their value, and the number of sheep injured by dogs, and an estimate of the amount of damages by such injury; the number of acres put

in wheat, rye, barley, corn, oats and buckwheat, and the number of bushels of each produced; the number of acres in timothy and other grass, except clover, and the number of tons of grass and bushels of seed produced therefrom; the number of acres in clover, the number of tons of hay made therefrom, the number of bushels of seed obtained therefrom, and the number of acres of clover plowed under for manure; the number of acres planted in tobacco, and the number of pounds obtained therefrom; the number of acres put in flax, and the number of pounds of fiber gathered, and the number of bushels of seed obtained; the number of acres planted in sorgo, and the number of gallons of syrup and pounds of sugar manufactured; the number of pounds of maple sugar, and the number of gallons of maple syrup manufactured; the number of pounds, each, of butter and cheese manufactured; the number of acres planted in potatoes, and the number of bushels produced; the number of acres planted in sweet potatoes, and the number of bushels produced; the number of acres in vineyard, the number of acres planted within the year, and the number of pounds of grapes gathered, and the number of gallons of wine produced; the number of pounds of wool shorn; the number of acres in orchard, and the number of bushels of apples, peaches, cherries, plums and pears produced; the number of acres used for pasturage, and the number of acres not cultivated or pastured; the number of hives of bees, and the number of pounds of honey produced; the number of dozens of eggs shipped to places beyond the state; also the number of acres sowed, planted or to be sowed or planted in wheat, rye, barley, oats, corn, and potatoes, for the harvest of the then present year.

#### MANUFACTURED.

The number of tons of cold-blast pig-iron manufactured from native ore smelted with charcoal, and the number of tons of hot-blast pig metal manufactured from the same material; the number of tons of pig metal made from native or foreign ore, smelted with stone coal; the number of tons of bar and nail-rod iron manufactured; the number of tons of nails; the number of tons of hoop-iron; the number of tons of sheet-iron; the number of tons of stoves and hollow-ware; the number of tons of all other castings; the number of tons of spikes and railroad chairs; the number of tons of car wheels; the number of tons of railroad iron; the number of locomotives built; the number of steam engines constructed; the number of plantation sugar-mills made; the number of portable saw-mills made and the number in use; the number, each, of reaping and mowing-machines; the number of threshing-machines.

#### WATER CRAFTS.

The number of steam-boats built upon the Ohio river and its navigable tributaries, and the number of barges, flat-

boats, and store-boats, and the value of each; the number of steam-boats and of sail-vessels built upon Lake Erie and its tributaries within the borders of this state, and the value of each; the number of canal-boats built and used in navigating the canals.

#### MINES AND MINERS.

The number of bushels of stone coal mined; the number of persons engaged in mining stone coal and the average rate of wages paid; the number of tons of iron ore mined; the number of persons engaged in mining iron ores, and the average rate of wages paid; the number of bushels of salt manufactured; the number of gallons of petroleum produced; the number of barrels of lime made; the number of barrels of water cement; the number of gallons of stone-ware made.

#### WAGES.

The number of adult male persons engaged in each of the mechanic arts, and the average monthly or daily wages of each, as the fact may be; the number of common laborers, and the average daily wages of each; the number of common farm laborers, and the average monthly wages of each; the average monthly wages paid to clerks and salesmen and saleswomen; the average monthly wages paid to book-keepers.

#### INVESTMENTS.

The amount of United States bonds owned; the amount of legal tender notes or moneys exempt from taxation; and the amount of state bonds or certificates.

#### SOCIAL.

The number of marriages between persons related to each other by blood, and the degree of such relationship; the number of persons born with imperfect senses or idiotic, and how many of such persons are the offspring of parents related to each other by blood; the number of houses of prostitution or assignation, and the number of prostitutes. (65 v. 54, § 1; 66 v. 351, § 1; 74 v. 177, § 10).

SEC. 2. That original section 1522 be and is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 23, 1883.

[House Bill No. 654.]

## AN ACT

To amend section 2434 of the revised statutes of Ohio, as amended March 9, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-four hundred and thirty-four of the revised statutes of Ohio, as amended March 9, 1881, be amended so as to read as follows:

Section 2434. A municipal corporation in which water-works are now, or hereafter may be constructed, whether such water-works are owned by an incorporated company, or by an individual, or individuals, shall have power to contract with such company, owner or owners of such water-works for supplying water for fire purposes, streets, squares, and other public places within the corporate limits, and for supplying the citizens of such municipal corporation with water, or all, any, or either of them, for any term, not exceeding eight years; provided, that no such contract shall be binding upon any such municipal corporation until the same shall have been ratified by a vote of the electors thereof at a special or general election, and such municipal corporation shall have the same power to protect any such water-works and prevent a pollution of the water thereof, as though such water-works were owned by said municipal corporation.

Municipal corporations may contract for water supply.

Shall be ratified by vote of electors.

Sec. 2. That said original section 2434, as amended March 9, 1881, be and the same is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 23, 1883.

[Senate Bill No. 234.]

## AN ACT

To authorize city councils of cities of the second class to issue bonds for sewer purposes.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade, of the second class, wherein main trunk sewers have been constructed, or are now in process of construction, be and they are hereby authorized and empowered, for the purpose of completing such main trunk sewers now in process of construction, to issue, from time to time, the bonds of such city for any sum not exceeding, in the aggregate, one hundred and sixty-five thousand dollars (\$165,000) above the

Certain cities authorized to issue bonds to complete and repair sewers.

amount of bonds for like purposes heretofore already issued by such city. And such city council shall also have authority to issue bonds to the amount of ten thousand dollars, for the purpose of relieving any sewer already constructed, which is not of sufficient capacity for the purpose for which it was built; such council shall also have authority to issue bonds to the amount of seventeen thousand dollars, for the purpose of repairing any sewer in such city which is now dangerous to life and property of persons passing over it.

**Bonds.**

SEC. 2. Such bonds shall run for such length of time not exceeding thirty (30) years, and shall bear such rate of interest not exceeding six (6) per centum per annum, and such interest shall be payable annually or semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects in manner as is or may be provided by law for the designation, issuing and sale of bonds of such municipal corporation, and the proceeds of all sales thereof shall be applied exclusively to the purposes for which they are issued.

**Provisions  
for payment  
of same.**

SEC. 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act, as they mature respectively, the city council of such city is hereby authorized and empowered to levy and collect annually such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed three-eighths ( $\frac{3}{8}$ ) of one mill, as the council may determine, additional in rate and amount to the aggregate rate and the aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation, so that the maximum rate and amount of such taxes to be levied under the authority of this act for such bonds so hereafter to be issued for such sewer purposes, together with the rate and amount now by other acts authorized to be levied for such bonds already heretofore issued, or hereafter to be issued for such purposes, shall be one (1) mill over and above and additional to the aggregate rate and aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 24, 1883.



[Senate Bill No. 314.]

## AN ACT

To authorize certain cities to build bridges, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the third grade of the first class is hereby authorized to construct a wagon bridge or bridges, and the necessary approaches thereto, across any stream at such points within such city and in such manner as may be determined by the common council thereof; and, for the purpose aforesaid, such city is authorized to issue the bonds thereof, in the aggregate not to exceed three hundred thousand dollars (\$300,000), payable at such times as the common council of such city may determine, but not to exceed thirty years from the date of the issue thereof; said bonds to bear a rate of interest not exceeding six per centum per annum, and not to be sold for less than par and the accrued interest thereon. And during the time said bonds shall remain unpaid, the county commissioners of any county in which such city is situated shall, at the request, by resolution, of the common council of such city, pay or cause to be paid into the treasury of such city all or any levies upon the property within such city, made by said county commissioners for any bridge or road purposes, or either, whether general or special; which sum so paid into said city treasury shall be applied by said city to the payment of any indebtedness incurred for the building or repair of bridges, including that herein authorized; and for the purpose of meeting any deficiency that may arise in the payment of said bonds, the common council of such city is hereby authorized, in addition to all other levies, to levy a tax upon all the taxable property within such city each year, for a period not exceeding thirty years, at a rate not exceeding one (1) mill in any one year, upon each dollar of the valuation of taxable property in said city. And the proceeds of such bonds shall be applied solely to the construction of such bridge or bridges and approaches, and the proceeds of the levy hereby authorized to be made, shall be by such city used and applied to the payment of said bonds and the interest thereon, and for no other purpose, all acts or parts of acts to the contrary notwithstanding.

Certain cities authorized to construct bridges, and issue bonds therefor.

Provisions for payment of bonds.

SEC. 2. That an act entitled "an act to authorize certain cities to build bridges, and to issue bonds therefor," passed April 15, 1882, be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 24, 1883.

[House Bill No. 693.]

## AN ACT

To amend section 3040 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty hundred and forty of the revised statutes be amended so as to read as follows :

When members of independent military companies are entitled to exemptions, etc.

Section 3040. If any independent infantry company, the organization of which has been continuous for at least twenty years last past, or any independent cavalry troop, the organization of which has been continuous for at least five years last past, being fully armed and equipped, agree to be subject to all calls of the governor for troops in case of war, insurrection, riot or invasion, and at least forty of the members of such infantry company, or twenty-five of the members of such cavalry troop sign an agreement to that effect, and file the same with the governor, the acting and contributing members thereof, not exceeding the number allowed an infantry company or a cavalry troop of the organized militia, shall be entitled to all the privileges and exemptions allowed members of the national guard; the acting members thereof who sign such agreement, shall, for neglecting or refusing to respond to any such call of the governor, be subject to the same fines and penalties as members of the national guard for like offenses; all persons who enlist in such company after the filing of such agreement, shall sign a like agreement, which shall also be filed with the governor, and such company and troop shall be kept up to at least a minimum of forty and twenty-five acting members, respectively. The fee of contributing members of such cavalry troop shall not be less than fifteen dollars (\$15.00), and a record of contributing members, showing the date of each certificate, to whom issued, and the amount paid, shall be kept by the secretary of such troop or company, a copy of which shall be filed with the clerk of the court of common pleas, and a report of the same shall be made to the adjutant-general of the state on or before the first day of April of each year.

Fee of contributing members.

Record of such members; where filed.

SEC. 2. Said original section 3040 [be] and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 610.]

## AN ACT

To amend section 1582 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifteen hundred and eighty-two of the revised statutes of Ohio be so amended as to read as follows:

Section 1582. When a petition, signed by one hundred freeholders of a village, or two hundred freeholders of a city of the second class, is presented to the council of the corporation in which the signers reside, setting forth that they desire such village to be advanced to a city of the second class, or such city of the second class from a lower to a higher grade in the second class, or to a city of the first class, and that they have the requisite population for such advancement, the council shall cause notice to be given by the mayor, as in other cases, that at the next annual election for officers of such city or village, the electors may vote for or against the advancement, their ballots to contain the words "for advancement," or the words "against advancement."

Petition for advancement of certain cities.

SEC. 2. Section 1582 is hereby repealed; and this act shall take effect and be in force from and after its passage.

Order for vote on question.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 486.]

## AN ACT

To provide payment for the necessary expenses and services of the Longview asylum commission.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of carrying into effect the provisions of house joint resolution, adopted April 20, 1881, "relating to the transfer of Longview asylum to the state," there is hereby appropriated out of any money to the credit of the revenue fund in the treasury, not otherwise expended, the sum of one hundred and seventy-three and fifty-eight one hundredths dollars, to pay necessary expenses incurred, and four hundred and fifty dollars for services of the commissioners appointed under said resolution, being one-half of expenses and services as provided in said resolution, to be paid out of the state treasury, upon the approval of the chief justice of the supreme court.

To pay services and expenses of Longview asylum commission.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 550]

## AN ACT

To authorize the election of one additional judge of the court of common pleas in the first sub-division of the fifth judicial district of the state of Ohio.

To create an additional judge in the fifth judicial district.

Election; when to be held.

Term and compensation.

Vacancy; how filled.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be elected in the first sub-division of the fifth judicial district of Ohio, composed of the counties of Adams, Brown and Clermont, by the electors thereof, under and in pursuance of the general election laws of the state of Ohio governing the election of judges of the court of common pleas, at the general election to be held on the second Tuesday of October, A. D. 1883, one judge of the court of common pleas in addition to the judge heretofore provided for by law, for said sub-division of said judicial district. Said additional judge shall be elected for the term of five years; his term of office shall begin on the fifteenth day of October, A. D. 1883, and he shall, when elected and qualified, receive the same compensation as other judges of said court, and shall, also, in every respect, have the same jurisdiction, possess the same powers, discharge the same duties and incur the same penalties as are now or may hereafter be enforced or enjoined by the constitution and laws of the state of Ohio upon the judges of said court.

SEC. 2. When a vacancy shall occur in the office of said additional judge, whether by expiration of his term of office, or otherwise, such vacancy shall be filled as in vacancies in the office of the other judges of said court, and all elections therefor shall be held on the second Tuesday of October next preceding the expiration of his term of office.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 539.]

## AN ACT

To amend section 3862 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-eight hundred and sixty-two of the revised statutes be amended so as to read as follows:

Powers of mining and manufacturing corporations.

Section 3862. Any company heretofore incorporated or that may hereafter be incorporated under the laws of this state, for the purpose of mining or boring for petroleum or rock oil, or coal oil, salt or other vegetable, medicinal or mineral fluid, in the earth, or for refining or purifying the

same, quarrying stone, marble, or slate, mining coal, iron, copper, lead or other minerals, or manufacturing the same, or engaged in the manufacturing of articles composed in the whole of iron or part of iron and wood, or for manufacturing cotton or woolen fabrics in whole or in part, or both, and carrying on business connected with the main objects of such corporation, may, in its corporate name, take, hold and convey such real estate and personal estate as is necessary or convenient for the purpose for which it was incorporated, and may carry on its business, or so much thereof as is convenient, in any county in this state, or beyond the limits of this state, and may there hold any real or personal estate necessary or convenient for conducting the same.

SEC. 2. Said section 3862 is hereby repealed.

SEC. 3. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

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[House Bill No. 699.]

#### AN ACT

To amend section 4986 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-nine hundred and eighty-six of the revised statutes of Ohio be so amended as to read as follows:

Section 4986. If a person entitled to bring any action mentioned in this sub-division, except for a penalty or forfeiture, is, at the time the cause of action accrues, within the age of twenty-one years, a married woman, insane, or imprisoned, such person may bring such action within the respective times limited by this chapter, after such disability is removed; provided, however, that the disability of being a married woman shall not extend to rights of action of a married woman, concerning her separate property or growing out of or concerning business transacted in her own name. **Rights to action saved.**

SEC. 2. That said original section 4986 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 724.]

## AN ACT

To amend section 6090 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty hundred and ninety of the revised statutes of Ohio be so amended as to read as follows :

In what order executor or administrator to pay debts.

Section 6090. Every executor or administrator shall proceed with diligence to pay the debts of the deceased, and shall apply the assets to the payment of the debts in the following order :

First. The funeral expenses, those of the last sickness, and the expenses of administration.

Second. The allowance made to the widow and children for their support for twelve months.

Third. Debts entitled to a preference under the law of the United States.

Fourth. Public rates and taxes, and sums due the state for duties on sales at auction.

Fifth. To every person who shall have performed manual labor in the service of the deceased during his lifetime, out of any funds that shall come into his hands as such administrator or executor, before the payment of the general creditors, the full amount of the wages due to such person for such labor performed within twelve months preceding the death of the party for whom such labor was performed, not exceeding one hundred and fifty dollars.

Sixth. Debts due to all other persons.

And if there be not enough, after paying any one of said classes, to pay all the debts of the next of the other classes, all the creditors of the latter class shall be paid ratably in proportion to their respective debts; and no payment shall be made to creditors, of any one class, until all those of a preceding class or classes, of whose claims the executor or administrator shall have had notice, shall be fully paid.

SEC. 2. That said original section 6090 of the revised statutes of Ohio be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 789.]

## AN ACT

To amend section 3240 of the revised statutes of Ohio, as amended April 20, 1881.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That section thirty-two hundred and forty of the revised statutes of Ohio be amended so as to read as follows :

First election of trustees of corporation not for profit.

Section 3240. A majority of the subscribers of the articles of incorporation of a corporation formed for a purpose other than profit, may elect not less than five trustees of the corporation, who shall hold their office till the next annual election, or until their successors are elected and qualified, but in the case of institutions incorporated for the purpose of promoting education, science or art, the regulations of such corporations may provide for the length of time said trustees shall hold their offices, the term thereof not to exceed in number of years the number of such trustees; provided, that lodges, societies or bodies of any secret or benevolent order incorporated under the laws of this state may elect such number of trustees not less than three as may be provided in the laws or regulations governing such lodge, society or body, and the election of such trustees may be held at the time specified in such laws or regulations.

**SEC. 2.** This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives:*

R. G. RICHARDS,

*President of the Senate.*

Passed March 26, 1883.

[House Bill No. 58.]

## AN ACT

To amend sections 4, 6, 4106, 4107, 4108 and 6565 of the revised statutes of Ohio.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That sections four, six, four thousand one hundred and six, four thousand one hundred and seven, four thousand one hundred and eight and six thousand five hundred and sixty-five of the revised statutes of Ohio be amended so as to read as follows :

Section 4. In all cases where an official seal is required by law to be affixed by any officer to any instrument of writing, an impression by such officer of his official seal upon either wax, wafer or other adhesive substance, or upon the paper or material on which such instrument is written, shall be alike valid and sufficient; private seals are abolished; and the affixing of what has been known as a private seal to any instrument whatsoever, shall not give such instrument any additional force or effect or in any way change the construction thereof [29 v., 349, § 1].

Seal; of what it may consist.

**What bonds good when signed in blank.**

**Section 6.** All official bonds, and all bonds of executors, administrators, guardians and trustees, and all bonds required or authorized to be taken by or before any court, judge, public board or officer, judicial or ministerial, and all bonds of indemnity, and all other bonds conditioned to become void upon the performance by the parties thereto, or any of them, of the stipulations therein contained, shall bind and render liable thereon all the obligors therein, both principals and sureties, whether at the time of the signing of the same by such obligors, or any of them, the amounts of such bonds be filled in or left in blank, if such amounts be filled in before, or at the time of the approval or acceptance of such bond; and such filling in may be done in the absence of any or all of the obligors, and without any express authority for that purpose from them or any of them [66 v., 15, §§ 1, 2].

**How deeds or other instrument conveying land, executed and acknowledged.**

**Section 4106.** When a man above the age of twenty-one years, or an unmarried woman above the age of eighteen years, executes within the state a deed, mortgage, or other instrument of writing, by which any land, tenement, or hereditament is conveyed, or otherwise affected or incumbered in law, such instrument shall be signed by the grantor or maker, and such signing shall be acknowledged by the grantor or maker in the presence of two witnesses, who shall attest the signing and subscribe their name to the attestation; and such signing shall also be acknowledged by the grantor or maker before a judge of a court of record in this state, or a clerk thereof, a county surveyor, a justice of the peace, notary public, or the mayor or other presiding officer of a municipal corporation, who shall certify the acknowledgment on the same sheet on which the instrument is written or printed, and subscribe his name thereto [29 v., 346, § 1; 32 v., 10, § 1].

**Who may take acknowledgment, and his certificate.**

**How such instrument executed and acknowledged by husband and wife.**

**Section 4107.** When a wife, she being eighteen years of age, or upward, executes, within this state, a deed, mortgage, or other instrument of writing for the conveyance or incumbrance of the estate of the wife, or her right of dower in any land, tenement, or hereditament situate within this state, such deed, mortgage, or other instrument of writing shall be signed by both the husband and the wife; such signing shall be attested and acknowledged in the manner prescribed in the preceding section, and in addition thereto, the officer before whom such acknowledgment is made, shall examine the wife separate and apart from her husband, and shall read, or otherwise make known to her the contents of the instrument; and if, upon such separate examination, she declare that she did voluntarily sign and acknowledge the same, and that she is still satisfied therewith, such officer shall certify such examination and declaration of the wife, together with the acknowledgment, on the instrument, and subscribe his name thereto. [29 v., 346, § 2].

**Separate examination of wife.**



Section 4108. All powers of attorney which authorize the mortgage, sale, or conveyance of lands, tenements, or hereditaments situate within this state, shall be signed, attested, acknowledged, and certified as in the case of deeds, mortgages and other instruments of writing; and when the estate of a wife, or her right of dower in any lands, tenements, or hereditaments is to be conveyed or relinquished by attorney, her husband shall join her in the execution of the power of attorney for that purpose; and such power of attorney shall be signed, attested, acknowledged, and certified in all respects, in conformity with the provisions of the preceding section [29 v., 346, § 3.]

How power of attorney for sale or incumbrance of lands executed and acknowledged.

Section 6565. In all cases before a justice of the peace, whether tried by a jury or by the justice, either party shall have the right to except to the opinion of the justice upon any question of law arising during the trial of the cause; and when either party shall allege such exception, it shall be the duty of the justice to sign a bill containing such exceptions, if truly alleged, with the point decided, so that the same may be made a part of the record in the cause; and whenever either party during the trial shall require time to prepare his bill of exceptions, the justice shall appoint time when the same shall be settled and signed, not more than five days from the day of trial. [66 v., 7, § 93.]

Bill of exceptions on trial before justice.

SEC. 2. That said original sections 4, 6, 4106, 4107, 4108 and 6565 be and the same are hereby repealed; and this act shall take effect on its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

[House Bill No. 681.]

#### AN ACT

To create and establish district work-houses, and to provide for their management and maintenance.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to section twenty-one hundred and seven of the revised statutes, with sectional numbering as follows, to wit:

Section 2107a. The commissioners of any counties may unite in the erection, management and maintenance of a work-house for the joint use of such counties; provided, that before said work-house can be established the question of the establishment of said work-house shall be first submitted to the qualified electors of each of said counties at a general election, and that a majority of the qualified electors voting upon this proposition in each county shall have voted in

Commissioners of counties may unite in erecting a work-house. Submitted to electors.

favor of the establishment of said work-house; and provided, further, that a notice of the submission of the question of building a work-house to a vote at any general election shall be published for four weeks prior to said general election in a newspaper of general circulation of each county interested.

Board of directors.

Section 2107b. The construction, management and control of any work-house established under section twenty-one hundred and seven (a) of this chapter, and the maintenance and care of the convicts therein shall be vested in a "board of directors," who shall be called "the board of work-house directors," and shall be composed of the presidents of each of the county boards of commissioners, so associated in the construction, management and maintenance of such work-house, and they shall receive such pay for their services as is prescribed by law for county commissioners. The board of work-house directors shall, at their first meeting, and annually thereafter at the first regular meeting in May, elect a president, and at the same meeting appoint a secretary, who shall make a complete record of all the proceedings, and such other officers as may be necessary, and fix the compensation for their services.

Board to determine location, estimate cost, and certify same to county commissioners.

Section 2107c. Whenever any board of work-house directors have complied with the requirements of section twenty-one hundred and seven (b), they shall proceed to determine the location of said work-house, and make an estimate of the cost thereof, including the cost of purchasing grounds for location, which, together with all other transactions of the board, shall be made a complete record thereof by the secretary in a book to be kept for that purpose, which record shall be approved by the board and countersigned by the president, and shall be open at all times to the inspection of any resident of the district. After the selection of a location and the approval of estimates as to the cost of purchasing a site and the construction of necessary buildings and appliances for said work-house, the board shall certify over the seal of the president and secretary, to each of the "boards of county commissioners" within the district, the full amount of the estimated cost of location, construction, and maintenance of such work-house for one year from the first regular meeting in May, next succeeding this certification. Thereupon each

Commissioners to make levy.

board of county commissioners shall levy upon the general duplicate of the county in which they are commissioners, a tax equal to each of said county's proportion of the entire estimated cost, in the proportion of each of said county's valuation in the general duplicate to the aggregate valuation of all of the counties joining in the formation of the board and district. After such levies are made by each of the county boards of commissioners, each of said boards may anticipate said levies by the issuing of bonds, as provided in other cases, in sections eight hundred and seventy-one and eight hundred and seventy-two of the revised statutes. The avails arising from the sale of such bonds shall be paid over to the treasurer of the board of work-house directors, after said treasurer has filed with the board a bond, to be approved

May issue bonds.

by the board, in double the amount of the estimated expense of construction and maintenance of said work-house, and all payments for construction, maintenance, or any other purpose or expense whatever, shall be paid by said treasurer, when said bills shall have been approved by a majority of the board at any regular or adjourned meeting, and when a voucher therefor is issued by the secretary and countersigned by the president of the board. The cost of maintaining any work-house established under the provisions of this act, over and above the proceeds arising from the sale of the products thereof, shall be paid by each of the counties comprising the district, in proportion to the number of inmates furnished said work-house by each county, to the aggregate number furnished by all; and said expense shall be paid quarterly by each of the boards of county commissioners of the counties forming the district, upon the certificate of the secretary of the board of work-house directors, approved by the board and countersigned by the president. And the boards of county commissioners are hereby authorized to levy a tax upon the general duplicate of the county, under the provisions of section twenty-eight hundred and twenty-three of the revised statutes, such a sum as may be necessary, but not to exceed one-tenth of one mill, for the aforesaid maintenance.

The cost of  
maintaining;  
how paid.

Section 2107d. The board of work-house directors may enlarge or improve the buildings, shops or grounds from any surplus that may arise from sale of the products or from the levy for maintenance made by the counties forming the district, but no levy for maintenance shall be made when it has not been necessary to use more than one-half of the avails of the levy of the year preceding. And any surplus arising from the carrying on of the district work-house shall be returned to the general fund of each of the counties comprising the district, in the proportion to the number of inmates furnished by each of said counties to the whole number furnished by the district for the current year. The board of work-house directors may receive any other county into the district upon such terms and conditions as the board may determine, and when any county is thus admitted, they shall be entitled to a member of the board as provided in section twenty-one hundred and seven (b).

Directors  
may enlarge  
buildings or  
grounds.

Section 2107e. When a person has been convicted of a misdemeanor by any court or magistrate of this state in a district in which there is a work-house, it shall be competent for such court or magistrate to sentence such person to such work-house for a period not exceeding the maximum period of confinement in the jail of the county allowed by statute for such offenses; and in all such cases the court or magistrate may further order that such person stand committed to such work-house until the costs of prosecution are paid, or he be discharged as herein provided; and in all cases where a fine may be imposed in punishment in whole or in part for an offense and the court or magistrate could order that such person stand committed to the jail of the county until such fine and the costs of prosecution are paid,

May admit  
other coun-  
ties.

Who shall  
be confined  
therein.

Term.

Procedure  
when sen-  
tenced by  
court of com-  
mon pleas.

When con-  
victed by  
any other  
court.

May be con-  
fined in jail  
a reasonable  
period.

such court or magistrate may order that such person stand committed to such work-house until such fine and costs are paid, or until he be discharged at the rate of sixty cents per day for each day of confinement, or be otherwise legally discharged. When a person is sentenced to such work-house by the court of common pleas, the clerk shall make and deliver to the sheriff a certified copy of the docket and journal entries showing the crime charged and the sentence of the court, which shall be delivered by the sheriff to the proper officer in charge of such work-house, and shall be his warrant for detaining such person in custody therein; in cases of such convictions by any other court or magistrate, such court or magistrate shall make a certified transcript of the docket in such case, which shall in like manner be delivered to the marshal or constable, or sheriff by such court or magistrate, which shall be delivered by such officers to the proper officer in charge of such work-house, and shall be his warrant for detaining such person in custody therein; in all cases of sentence to a work-house under the provisions of this act, the person so sentenced may be confined in the jail of the county for such period as may be reasonably necessary for the officer to procure the papers and make arrangements to transport him to such work-house.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

[House Bill No. 738.]

#### AN ACT

To amend section 933 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section nine hundred and thirty-three of the revised statutes of Ohio be amended so as to read as follows:

Trustees of  
children's  
homes to  
find suitable  
homes for  
inmates.

Section 933. The trustees shall seek and make all due and proper effort to obtain suitable homes for all such children so committed, and indenture or allow them to be adopted, provided, that the person to whom any child is indentured, or by whom any child is adopted is deemed by the trustees to be, upon careful inquiry and satisfactory evidence, a suitable person; and the superintendent shall enter in a book, to be provided him by the county commissioners, the date when any of the inmates are indentured or adopted, the name and age of such inmate, the name and place of residence of the person to whom indentured, or by whom adopted, and if indentured, a statement of the conditions of such indentures, which book shall be open for inspection to

any person interested, at the discretion of the trustees; and the trustees may at any time vacate said indentures, when, in their opinion, the welfare of any child demands it.

SEC. 2. That section nine hundred and thirty-three (933) be and the same is hereby repealed; and this act shall take effect on and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 29, 1883.

[House Bill No. 779.]

#### AN ACT

Supplementary to chapter one, title one, part one, of the revised statutes of Ohio, relating to definitions and general provisions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to the above mentioned chapter of the revised statutes, with sectional number as herein provided :

Section 12a. Any officer who holds his office by appointment of the governor, by and with the advice and consent of the senate, may, when not otherwise provided by law, if it be found that he is inefficient or derelict in the discharge of his duties, or that he has used his office corruptly, be removed from office by the governor, by and with the advice and consent of the senate; and if in the recess of the senate the governor be satisfied that such officer is inefficient or derelict or corrupt as aforesaid, he may suspend such officer from his office and report the facts to the senate at its next session; and, if in such report, the senate so advise and consent, such officer shall be removed, but otherwise he shall be restored to his office. In case of suspension as aforesaid, the governor shall designate some person to perform the duties of such suspended officer during the suspension; and the person so designated shall give bond and take the oath of office as if appointed for a full term, and during the time he performs the duties of the office he shall be entitled to the emoluments thereof, no part of which shall, for such time, go to the suspended officer; and if the suspended officer be removed or his term expires before the action of the senate, on his suspension a new appointment shall be made.

Governor  
may remove  
appointee  
when found  
inefficient or  
corrupt.

Vacancy;  
how filled.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 29, 1883.

[Senate Bill No. 288.]

## AN ACT

To amend section 4101 of the revised statutes of Ohio.

[CINCINNATI AND TOLEDO UNIVERSITIES.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand one hundred and one (4101) of the revised statutes be and the same is hereby amended so as to read as follows:

Account of  
receipts and  
expendi-  
tures of en-  
dowment  
fund.

How said  
fund may be  
invested.

Section 4101. The accounts of such trust, estate, property and funds, and of the income and expenditure thereof, shall be kept by the city auditor entirely distinct from all other accounts or affairs of the city, and the moneys shall be kept by the city treasurer distinct from other moneys; and the directors shall at all times confine the expenditures within the income of the trust, estate, property and funds, and shall annually report to the common council a full statement of the accounts and administration of such trust; and said directors are hereby authorized to invest any part of the funds belonging to such university or any department thereof, as they may from time to time deem proper, in the bonds of the United States or of the state of Ohio or of the city of Cincinnati, and in first mortgages on real estate within the limits of said city, to an amount not to exceed one half the value of such real estate, as determined by an appraisement to be made by a committee of said board appointed for that purpose; and said directors shall not invest said funds in any manner other than as hereinbefore provided.

SEC. 2. That original section 4101 be, and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

[Senate Bill No. 241.]

## AN ACT

To amend section 1 of an act entitled "An act to provide for the relief of disabled firemen in cities of the second grade of the first class", as amended April 16, 1881 (78 O. L., 137), and to amend sections 2 and 3 of said original act. (77 O. L., 309).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "an act to provide for the relief of disabled firemen in cities of the second grade of the first class," as amended April 16, 1881, and sections two and three of said original act be so amended as to read as follows:

Section 1. That the county treasurers of counties containing a city of the first or second grade of the first class, or of the second grade of the second class shall, semi-annually, at the time of their semi-annual settlement with the auditors of their respective counties, pay over to the treasurer of such city one-half of the amount to which such city is entitled, under his annual levy, to receive of all the taxes paid into the treasuries of their respective counties by foreign insurance companies on their gross receipts, under the provisions of section twenty-seven hundred and forty-five of the revised statutes, during the half year preceding such semi-annual settlement, and the money so paid over to the city treasurers shall, together with the amount heretofore so paid, constitute a fund for the purposes and objects hereinafter set forth.

In certain cities one-half tax received from foreign insurance companies to be paid for support of disabled firemen.

Section 2. The persons who, from time to time, comprise the board of fire commissioners of the city, and two members of the fire department to be elected by the members of said department on the first Tuesday of January of each year, except the first election, which shall take place within thirty days from the passage of this act, shall constitute and be a board for the distribution of said fund, to be called the board of trustees of the firemen's relief fund; and the president and secretary of said board of fire commissioners shall be the president and secretary of said board of trustees. It is hereby made the duty of the secretary to keep a full record of all the proceedings of said board of trustees and all action taken by it in regard to said fund, and said board shall have power to draw such fund from the treasury of said city on the warrant of the president, countersigned by the secretary, and may invest the same in interest bearing bonds of the United States, the state of Ohio, and in those of said cities, and shall make report to the city council of the condition of said fund on the first day of January of each year.

By whom and how said fund distributed.

Section 3. If any member of the fire department of such city shall, while in the actual performance of his duty as such member, become permanently disabled so as to render necessary his retirement from the department, such board shall authorize the payment to such disabled member monthly the sum of forty dollars; or if any member of the department shall, while in the actual performance of his duty as such member, be killed or die from the effects of injuries received while so performing said duty, or, if any member of said department in good standing shall, after ten years' consecutive service therein, die from any cause and such member so killed or dying either from said injuries or after said service, shall leave a widow, minor child or children under sixteen years of age, or a widowed mother who depended on him for support, said board shall authorize the payment of the following sums monthly, to wit: To such widow while unmarried, fifteen dollars; to the guardian of such child or children, five dollars for each of said children, and twenty dollars to such widowed mother while she remains unmarried. Provided, however, that if at any time there should not be sufficient money to the credit of said

Who shall be beneficiaries of such fund.

fund to pay to each person entitled to the benefit thereof the full amount per month as above, then and in that event an equal percentage of said monthly payment shall be paid each beneficiary until said fund is so replenished as to warrant payment to each of said beneficiaries in full.

SEC. 2. That section one of an act entitled "an act to provide for the relief of disabled firemen in cities of the second grade of the first class", as amended April 16, 1881 (78 O. L., 137), and sections two and three of said original act be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 154.]

#### AN ACT

To amend section 4242 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section four thousand two hundred and forty-two be amended to read as follows :

Township  
trustees to  
view parti-  
tion fences.

Section 4242. When any controversy arises about the rights of owners of adjoining lands, both of which are enclosed, or occupied and improved, in relation to building or maintaining partition fences, and their obligation to build and maintain the same in good repair, either party may apply to the trustees of the township in which such premises or fence is situate, who, on application, shall, after not less than ten days' written notice to all parties interested in the title or possession of the premises, or the construction or repair of the fence, proceed to view the fence, or premises where the fence is to be built, and assign, in writing, to each party his equal share thereof, to be by him constructed or kept in repair so as to be in all respects a good and substantial fence ; the assignment shall also specify the time within which such fence and each of its parts shall be constructed or repaired, and shall be binding upon the parties and all succeeding occupants of the premises for one year thereafter, and until a new assignment is made. Provided, however, that if the owner is a non-resident of the county, then the notices provided for in this section and section 4243 may be served on his authorized agent or the person occupying the premises, and at the same time they shall also mail a notice to the owner, if his post-office address is known.



SEC. 2. That said section 4242 of the revised statutes be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

[Senate Bill No. 246.]

### AN ACT

To amend sections 4889 and 4895 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections forty-eight hundred and eighty-nine and four thousand eight hundred and ninety-five of the revised statutes of Ohio be amended so as to read as follows:

Section 4889. Each township in the counties of Belmont, Butler, Carroll, Champaign, Clarke, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Henry, Huron, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Pickaway, Pike, Preble, Ross, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Warren and Wayne, in which any such free road is located, is made a road district for the care and maintenance thereof.

In certain counties, each township a road district.

Section 4895. If the tax levied by the township trustees and the road-labor where applied to such improved roads are found by the county commissioners to be insufficient to keep such roads in good repair, they may determine and levy an additional per centum of extra road tax, to be levied upon the taxable property of the county, not exceeding two mills on the dollar in any year; and the same shall be collected as other taxes, and when collected, shall be paid by the county treasurer to the township treasurers, upon the order of the county commissioners in such proportion as they may determine to be just and equitable between the several townships in which the roads are located, and shall be expended upon such improved roads in accordance with the foregoing provisions; or the county commissioners shall, in any townships within their respective counties, in which such roads are not kept in good repair as heretofore provided, levy an additional tax to that levied by the trustees thereof, on all the taxable property of the township, on the basis of the number of miles of improved road or roads, within the township, sufficient to keep the same in good repair, to be collected as other taxes are, and paid over to the treasurer of the township on which such levy is made, and shall be expended by the trustees thereof on the improved roads within their township, so as to keep the same in good repair.

County commissioners may levy additional tax for road purposes.

SEC. 2. That sections 4889 and 4895 of the revised statutes of Ohio be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

[House Bill No. 780.]

### AN ACT

To establish a commission.

Governor to  
 appoint su-  
 preme court  
 commission.

Powers of  
 the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a commission, which shall consist of five members, shall be appointed by the governor, with the advice and consent of the senate, the members of which shall hold office for the term of two years from and after the seventeenth day of April, 1883, to dispose of such part of the business then on the dockets of the supreme court as shall, by arrangement between said commission and said court, be transferred to such commission; and said commission shall have like jurisdiction and power in respect to such business as are, or may be vested in the supreme court; and the members of said commission shall receive a like compensation for their services as judges of the supreme court hereafter elected. A majority of the members of said commission shall be necessary to form a quorum or pronounce a decision, and its decision shall be certified, entered and enforced as the judgments of the supreme court, and at the expiration of said commission all business undisposed of shall by it be certified to the supreme court and disposed of as if said commission had never existed. The clerk and reporter of the supreme court shall be clerk and reporter of said commission, and the commission shall have such other attendants, not exceeding in number those now provided by law for the supreme court, which attendants said commission may appoint and remove at its pleasure. Any vacancy occurring in said commission shall be filled by appointment by the governor, with the advice and consent of the senate, if the senate be in session; and if the senate be not in session, by the governor; but in such last case, such appointment shall expire at the end of the next session of the general assembly.

SEC. 2. This act shall be in force and take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 30, 1883.

[Senate Bill No. 303.]

## AN ACT

To amend section 2580 of the revised statutes of Ohio, as amended March 10, 1881 (78 O. L., 44.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-five hundred and eighty of the revised statutes of Ohio, as amended March 10, 1881, be so amended as to read as follows:

Section 2580. In cities of the first class, except the first and second grades, the superintendent of markets shall be appointed by the mayor, with the assent of the council, which shall prescribe the duties and fix the compensation of such officer; and in cities of the first class, second grade, the term of office of such superintendent shall be four years, and the council shall provide by ordinance for his election, prescribe his duties and fix his compensation, and said last named superintendent shall appoint all market officers, market janitors, and other market employes subject to the confirmation of the council; and in cities of the second class the council shall have power to create by ordinance, whenever deemed expedient, the office of superintendent of markets, provide for his election or appointment, prescribe his duties and fix his compensation.

Superintendents of markets; how appointed or elected.

SEC. 2. That section 2580, as amended March 10, 1881, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 3, 1883.

[Senate Bill No. 257.]

## AN ACT

To authorize cemetery associations to create a sinking fund and to invest the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any cemetery association which has been organized under any general or special law of this state, is hereby fully authorized and empowered to create a sinking fund, out of any surplus money they may have on hand, or which may have been given to said association by will, deed, or otherwise.

Cemetery associations may create sinking fund.

SEC. 2. That it shall be lawful for any cemetery association so organized to invest any sum of money appropriated to said sinking fund in any bonds of the United States, state of Ohio or of any city of the state of Ohio, or to loan it upon first mortgage of real estate in the state of Ohio worth double the loan, or upon collateral of any of the above securi-

How such funds may be invested.

ties of equal face value with the loan; provided, however, that it shall not be lawful to loan any such money to any member of said cemetery board.

How expended.

SEC. 3. That all moneys thus appropriated to any sinking fund, and all interest derived thereon, shall be held exclusively for the enlargement of cemetery grounds, their improvement, repair or adornment, or for constructing or keeping in repair any buildings, monuments or other structures deemed necessary or appropriate for cemetery grounds, and shall not be appropriated or used for any other purpose whatever.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 3, 1883.

[Senate Bill No. 220.]

#### AN ACT

Supplementary to chapters two (2) and four (4), division two (2), title twelve (12), part one (1) of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to chapters two (2) and four (4), division two (2), title twelve (12), part one (1) of the revised statutes of Ohio, with sectional numbering as herein provided:

Error in proceedings does not render void if tax has been paid.

Section 1571a. No error, irregularity or defect in any proceeding for the creation of a municipal corporation shall render it invalid if the territory sought to be incorporated has been recognized as such corporation, and any tax levied upon it as such has been paid, or it has been subjected to the authority of the council without objection from its inhabitants.

SEC. 2. Be it further enacted, that the following sections be added, and supplementary to chapter four (4), division two (2), title twelve (12), part one (1) of the revised statutes of Ohio, with sectional numbering as follows:

Proceedings in advancement.

Section 1588a. No error, irregularity or defect in any proceeding for the advancement of a municipal corporation shall render it invalid when powers referable only to such advanced grade have been exercised by the council of such corporation without objection from its inhabitants.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 3, 1883.

[Senate Bill No. 210.]

## AN ACT

To amend section 8080 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand and eighty of the revised statutes of Ohio be amended so as to read as follows :

Section 3080. Each regimental organization and each company of infantry and troop of cavalry shall be entitled to receive one hundred dollars, and each battery fifty dollars, for every two guns, annually, out of the state treasury for the care of arms, and other incidental expenses to be paid to the regimental quarter-master and the treasurer of the company, troop or battery on his application, approved by the commandant of the organization and by the governor; but the approval of the governor shall not be given until all reports and returns required by section thirty-one hundred and two have been received by the adjutant-general. When the sum appropriated for such purpose is not sufficient for the full allowance to each organization as aforesaid, the adjutant-general shall apportion the amount pro rata to the several organizations.

Annual payments to military organizations out of state treasury.

SEC. 2. Said original section 3080 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 3, 1883.

[Senate Bill No. 94.]

## AN ACT

To amend sections 6961 and 6965 of the revised statutes of Ohio, and section 6966 of the revised statutes of Ohio, as amended March 26, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 6961 and 6965 of the revised statutes of Ohio, and section 6966 of the revised statutes of Ohio, as amended March 26, 1880, be so amended as to read as follows :

Section 6961. Whoever, in any place, catches, kills, or injures, or pursues with such intent, any quail or prairie chicken, except between the first and thirtieth days of November each year, inclusive, or any wild turkey, between the fifteenth day of January and last day of October, inclusive, or any ruffed grouse or pheasant, or blue-winged teal, between the first day of January and the last day of August, inclusive, or any mallard, wood duck, or any other wild duck,

Penalty for killing or injuring certain game birds at certain times.

between the first day of April and the last day of August, inclusive, or any woodcock between the first day of January and the third day of July, inclusive, or catch by trap or snare at any time any quail or Virginia partridge, or upon any waters, bays, rivers, estuaries, marshes, mud-flats, or in any cover to which wild fowls resort, by the aid or use of any swivel or punt-gun, or any other gun than a common shoulder gun, or with or by the aid of any artificial light, or with the aid of, or from any sink-boat or battery, kills or wounds, or pursues with such intent, any wild goose or brant, or wild duck, or any other water-fowls, or destroys or disturbs the eggs of any such birds, shall be fined not more than twenty-five nor less than five dollars, or be imprisoned not more than thirty days, or both.

For killing  
or disturbing  
wild  
pigeons at  
roosting or  
nesting  
places.

Section 6965. Whoever kills, maims, or discharges any fire-arms at any wild pigeon while on its nesting ground, or at its roosting place, or breaks up, or in any manner disturbs any pigeon-roost or nesting, or the birds therein, or discharges any fire-arms at any wild pigeon within one-half mile of any pigeon roosting or nesting place, or disturbs or destroys any pigeon eggs or nestlings, or from or by the aid of any sneak boat, battery, sink-boat, or any other water-craft, approaches by rowing, paddling, sailing, floating or sneaking, and fires upon any wild ducks or other water-fowls, sitting upon, or as they rise from the open water of any bay or estuary, excepting only such water-fowls as have been previously wounded, shall be fined not more than fifty, nor less than five dollars, or imprisoned not more than thirty days, nor less than three days, or both.

For firing  
upon wild  
ducks, etc.

For shooting  
or hunting  
on lands of  
another  
without per-  
mission.

Section 6966. Whoever, without having received verbal or written permission from the owner, his agent, or a person in charge of any lands, waters, water-courses, rivers, ponds, bays, estuaries or lakes, hunts or shoots at, kills or pursues with such intent, or with intent of capturing alive, on or over such lands, waters, water-courses, rivers, ponds, bays, or estuaries, any of the birds or game mentioned in sections 6960 and 6961 and 6963, or any other birds, game, or animals, or destroys or disturbs the eggs or nests of any water-fowls, or any undomesticated birds whatever, shall be fined not more than twenty-five nor less than five dollars, or imprisoned not more than thirty nor less than five days, or both.

SEC. 2. That said original sections 6961 and 6965, and said section 6966, as amended March 26, 1880, be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 3, 1883.

## [Senate Bill No. 44.]

## AN ACT

To amend section 4056 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand and fifty-six of the revised statutes of Ohio be amended to read as follows:

Section 4056. The board of education may fix the compensation of clerk and treasurer; the allowance made to the treasurer shall not exceed one per centum of the money disbursed by him on orders of the board; but the treasurers of township districts shall be allowed as compensation, one per centum on all school funds disbursed by them; and both clerks and treasurers shall be paid out of the contingent fund on the order of the board of education, but treasurers of city districts shall not be allowed any compensation for disbursing the school funds.

Compensation of clerk and treasurer of board of education.

SEC. 2. That said section 4056 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 3, 1883.

## [Senate Bill No. 356.]

## AN ACT

Relating to certain proposed amendments to the constitution, and the publication thereof.

WHEREAS, The General Assembly of the state of Ohio (three-fifths of the members elected to each house agreeing thereto) have proposed an amendment to the constitution, and may propose other amendments, to be submitted to the electors for their approval or rejection at the election for senators and representatives in the general assembly, on the second Tuesday of October, A. D. 1883; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the electors of this state shall vote upon said proposed amendment or amendments at the general election in October, A. D. 1883, in the manner and form as prescribed therein.

Electors shall vote upon proposed amendments.

SEC. 2. The judges and clerks of election in each township, ward and precinct, shall, in addition to the returns provided by law, and at the same time make return to the clerk of the county, of the vote cast for and against said proposed amendments, respectively.

Duties of judges and clerks of elections.

County clerks shall make returns within ten days of election.

Governor shall make proclamation if majority of votes favor proposed amendment.

Secretary of State shall publish proposed amendments in each county.

Rate to be paid newspapers for publication.

SEC. 3. A return, additional to the return now required by law to be made of the votes cast at such election for state officers, and senators and representatives, and also for and against said proposed amendment or amendments to the constitution, shall be certified and made by the clerk of each county to the secretary of state within ten days after said election; and within twenty days after said election, the governor, secretary of state and attorney-general shall open said returns and count the votes and ascertain whether or not a majority of the votes cast at said election have been cast for said proposed amendment or amendments, or either of them, and if it appears that a majority of the votes cast at such election have been cast for said proposed amendment or amendments, or either of them, the governor shall make proclamation thereof without delay.

SEC. 4. The secretary of state shall cause the amendments to the constitution proposed at the present session of the general assembly, to be published once each week in not less than one newspaper in each county of the state wherein a newspaper is published, once each week for six months and until the second Tuesday in October, A. D. 1883; and in counties where newspapers represent each of the two leading political parties, then such amendments shall be published in one newspaper of each political party once each week for six months and until said second Tuesday of October, A. D. 1883, and in counties having a German newspaper of general circulation once each week in a German newspaper for said time.

SEC. 5. The charges for publication shall not exceed sixty per cent. of the rates established in section four thousand three hundred and sixty-six (4366) of the revised statutes. The cost of publishing shall be paid out of the state treasury upon the warrant of the auditor of state upon vouchers approved by the commissioners of the respective counties where the publication is made, from money in the treasury not otherwise appropriated.

SEC. 6. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 5, 1883.

[House Bill No. 808.]

#### AN ACT

To amend section 4777 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-seven hundred and seventy-seven of the revised statutes of Ohio be amended so as to read as follows:



Section 4777. The board of county commissioners shall immediately thereafter transmit to the auditor of the county said map, profile, and statement as returned to them by the road commissioners, and shall at the same time direct the auditor to levy upon the grand duplicate of the county, for the purpose of constructing, improving, and repairing such road, the amount of the tax, and for the number of years petitioned for; and the auditor shall enter the same upon the duplicate for collection, on all the lands and taxable property within the bounds of the road, as laid out and established, in the same manner and subject to the same penalties and forfeitures as other taxes are entered thereon for the purposes of collection; but no such tax shall be levied for an amount or for a term of years greater than that set forth in the petition, unless at or before the expiration of said time the petition be renewed, and in that event such tax shall be levied for any number of years that may be set forth in the renewed petition, as, when added to the first levy, will not in the aggregate exceed ten years.

Tax, levy for the repairs of certain roads.

Sec. 2. That said original section 4777 be and the same is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 5, 1883.

[House Bill No. 908.]

#### AN ACT

To provide for the payment of the state debt.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the sinking fund of the state of Ohio, are hereby authorized to pay off and redeem any of the bonds or certificates of indebtedness of the state of Ohio, coming due in 1884, 1885 or 1886, which may be offered to them for payment, not exceeding in the aggregate four hundred and fifty thousand dollars (\$450,000), upon such terms as may be deemed by said commissioners most favorable to the state of Ohio; provided, that the amount paid for any of such bonds or certificates shall in no case exceed such sum as with interest at three per centum per annum payable semi-annually from the time of payment to the time the same would become due, would be equal to the principal of said bonds or certificates and the interest that would accrue thereon according to the terms thereof during the same period.

Commissioners of sinking fund may pay certain bonds before due.

Notice to be given to bondholders.

SEC. 2. That the said commissioners are hereby directed to give notice in such manner as to them seems best to the holders of such bonds or certificates of the terms upon which they will pay any of such bonds or certificates.

Appropriation for payment of same.

SEC. 3. That for the purpose of paying such bonds or certificates, there is hereby appropriated from any moneys in the treasury, or that may come into the treasury by transfer or otherwise, belonging to the sinking fund, not otherwise appropriated, the sum of four hundred and fifty thousand dollars (\$450,000); and the further sum of two hundred dollars (\$200), to pay the expenses incurred in negotiating such bonds or certificates.

Bonds due July 1, 1883.

SEC. 4. That said commissioners are hereby authorized and directed to pay the bonds of the state due July 1st, 1883, (for which money has been appropriated), at any time before the same become due; provided, the holders thereof will rebate of the amount that will be payable therefor when the same become due, at the rate of two per centum per annum.

Rebate.

SEC. 5. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

[House Bill No. 609.]

#### AN ACT

To supplement section 3830 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section three thousand eight hundred and thirty of the revised statutes of Ohio, with sectional numbering as follows:

Inspectors, gaugers, etc., may appoint deputies.

Section 3830a. Every inspector, gauger, weigher or measurer appointed by any board of trade or chamber of commerce heretofore or hereafter organized in this state, may appoint one or more deputies to be approved by the board of directors or board of officers of such board of trade or chamber of commerce, and the said inspector, gauger, weigher or measurer may take from his deputy a bond, with sureties, conditioned for the faithful performance of the duties of the appointment, but in all cases said inspector, gauger, weigher or measurer shall be responsible for his deputy's neglect of duty or misconduct in office.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

## [House Bill No. 6.]

## AN ACT

To amend sections 3207, 3208, 3209, 3210 and 3211 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections thirty-two hundred and seven, thirty-two hundred and eight, thirty-two hundred and nine, thirty-two hundred and ten and thirty-two hundred and eleven be so amended as to read as follows:

Section 3207. Any person, association of persons, or corporation contracting for the construction of a railroad, depot buildings, water-tanks, or any part thereof, shall be liable to and shall pay to each person performing labor or furnishing materials stipulated for in the contract with the owner of the road, under a contract express or implied with the original contractor, or with any sub-contractor, for the whole or any part of the work stipulated in the original contract with the owner of the railroad; and the railroad company shall provide, in its contract with any person, association of persons, or corporation for the construction of its road, or any part thereof, that payments under its said contract shall be made in the following order of priority: First, to the persons performing labor or furnishing materials, or furnishing boarding on the order of any contractor or sub-contractor to persons employed by them, or either of them, in furnishing materials or labor for or in the construction of such railroad, without preference. Second, to any sub-contractor, any balance due under his contract after payment of his or their liabilities to persons performing labor or furnishing materials or boarding, under his or their contract. Third, to any contractor, or construction company intervening between a sub-contractor and the railroad company, in the order of such intervention from such sub-contractor upward to the owner of the railroad, any balance due after payment by the company, of amounts found due in the order of priority above stipulated.

What contracts for railroad work shall stipulate.

Claims—order of priority.

Section 3208. A person who performs labor or furnishes materials for or in construction of any railroad, depot buildings, water-tanks, or any part thereof, and a person who furnishes boarding on the order of any contractor or sub-contractor, to persons employed by them or either of them, in furnishing materials, or performing labor for or in construction of such railroad, depot buildings, water-tanks, or any part thereof in addition to his rights under the preceding section, shall have a lien for the payment of the same upon such railroad, and such lien shall have and maintain precedence over any lien taken, or to be taken, and shall subsist for one year from the date of filing the attested account hereafter provided for; and if an action is brought to enforce the lien within that time, it shall continue in

What lien shall have precedence.

**How such  
lien perfect-  
ed.**

force until finally adjudicated. In order to perfect such lien, a person performing labor, or furnishing materials, or boarding, as herein specified, shall, within forty days from the date that such person ceased performing labor, or furnishing materials, or boarding, on or for the railroad, file with the recorder of the county where the labor was performed, or materials, or boarding furnished, an affidavit containing an itemized statement of the kind and amount of materials furnished, or labor performed, the time when, the contractor or sub-contractor for whom, and the section and place where, on the line of the road the labor was performed, or materials furnished, and the amount due therefor, after crediting all payments and set-offs; and, in case of boarding furnished, such affidavit shall have attached thereto an itemized account of such board, showing the name of the contractor or sub-contractor on whose order it was furnished, the several persons to whom the same was furnished, the weekly rate of boarding, and the several amounts unpaid by each respectively. On filing the affidavit here provided for, it shall be recorded in a separate book to be provided therefor, and shall then operate as a lien on said railroad, in the manner and subject only to the limitations here provided. The claimant shall, within ten days after filing his affidavit with the recorder, serve a notice in writing upon the secretary, or other officer or authorized representative of the railroad company, by delivering or leaving a copy thereof at his usual place of residence, or place of doing business, which notice shall contain a statement of the facts of his filing such affidavit, the county wherein filed, the amount of his claim, and whether for labor, materials or boarding furnished, and the contractor or sub-contractor for whom rendered. Provided, that when the notice in writing required to be served upon the secretary, or other officer or authorized representative of the railroad company, cannot be served in the county where said affidavit is filed, such notice shall be served by the recorder upon the representative of the railroad aforesaid by depositing in the post-office a letter containing such notice directed to his place of residence, or place of doing business, if known to such recorder. Any person failing to file his affidavit aforesaid, and serving the notice aforesaid, within the time herein prescribed, shall be deemed and held to have waived all claim under this section, against the railroad company.

**How action  
may be  
brought.**

Section 3209. Any person obtaining and holding a lien provided for in the foregoing section, may, in addition to his remedies, under section thirty-two hundred and seven, proceed by petition as in other cases of lien, against the owner of, and all other persons interested, as lien-holders or otherwise, in any such railroad, and obtain such judgment, as justice and equity may require; and for the purposes of such suit, any number of lien-holders provided in the preceding section, may join as parties plaintiffs, by separately stating and numbering their respective claims; provided, that if several liens be obtained by several persons on the same

railroad under the provisions of section thirty-two hundred and eight, they shall have no priority among themselves, but payment thereon shall be made pro rata.

Section 3210. Each contractor or sub-contractor shall have at least five days' notice in writing of the time when the lien for labor, boarding or materials furnished under a contract with him, will be paid, which may be served upon him personally, or upon his authorized agent or foreman, by the owner of the railroad, or any officer or agent thereof, stating therein the time when such liens will be paid; and on request of such contractor, or sub-contractor, he shall be permitted to examine such lien claims before they are paid, at any time after the notice has been given; provided, that if such notice cannot be served in the county where the lien is filed, the same may be given by publication in some newspaper of general circulation in such county for the period of two weeks; if he dispute any of the claims, the company or owner of the road shall withhold payment of the disputed claims until they are adjusted; and if the matter cannot be adjusted between the parties interested, it may be submitted to the arbitration of three disinterested persons, one to be chosen by each of the parties, and one by the two thus chosen; and their decision, or that of any two of them, shall, in the absence of fraud or collusion, be final and conclusive on the parties. If any claim be disputed and is not settled or submitted to arbitration, the claimant shall, in such case, be required to commence an action on his claim before the proper tribunal, within forty days after notice that his claim has been disputed, and prosecute the same to final judgment without delay. And the amount of any disputed claim thus ascertained or adjudicated shall then be paid by the railroad owner. Provided, that after notice given as above provided, if no objection is filed against such claim within ten days after the expiration of the term of service of notice as above specified, then the contractor or sub-contractor shall be held to have waived all objection to such claim, and the same shall be taken to be correct as against such contractor or sub-contractor.

Contractor to be notified of time of payment; disputed claims and how adjusted.

Section 3211. The provisions of the four preceding sections shall apply to and include any person who furnishes grain, hay, merchandise, tools, or implements, or who repairs any tools or implements, on the order of any contractor or sub-contractor, for their own use, or the use of persons employed by them or either of them, while furnishing materials or labor for or in construction of such railroad; provided, that the amount of such claim shall not exceed the wages of the person performing labor or furnishing materials, to whom furnished, or the amount found due such contractor or sub-contractor, under the provisions of section thirty-two hundred and seven; and in every such case, the requirements of section thirty-two hundred and eight, as to filing affidavits and giving notices, shall be strictly complied with; and, provided further, that the aggregate of all liens taken and perfected under sections thirty-two hundred and seven,

To whom preceding sections apply.

The word  
"owner" de-  
fined.

thirty-two hundred and eight, thirty-two hundred and ten and thirty-two hundred and eleven, shall not be in excess of the actual construction contract price of the railroad company. The word "owner" in these sections shall be held and considered as including any lessee, receiver, corporation, company, or persons owning, operating or managing any railroad with whom or in whose behalf the contracts herein have been made.

SEC. 2. That said original sections 3207, 3208, 3209, 3210 and 3211 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

[Senate Bill No. 217.]

#### AN ACT

To provide for the protection of children.

Minor shall  
not be con-  
fined with  
adult pris-  
oner.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no child under sixteen years of age, held for trial, or on conviction and sentenced to any jail or other place of confinement, shall be placed, or allowed to remain in the same cell or room in company with adult prisoners, when the jail or prison will admit of their separation. It shall be the duty of the officer in charge of such place of confinement to secure, as far as the construction of such place will admit, the exclusion of such children from the society of adult prisoners during their confinement.

Child eligi-  
ble to admis-  
sion to chari-  
table insti-  
tutions not  
to be main-  
tained in in-  
firmary.

SEC. 2. That on and after January 1, 1884, it shall not be lawful to place or maintain in any county infirmary any child, except imbecile, idiotic or insane youths, who is eligible for admission to a county children's home, or other charitable institution. That whenever, after that date, there shall remain any child unprovided for, and there shall be in the county no children's home or other charitable institution at which they can be received, it shall be the duty of the infirmary directors of the county, when children cannot be placed in suitable families by indenture or adoption, to place and maintain such children, at the expense of the county, in the nearest children's home at which they can be received, or in some other proper charitable institution, which may have the approval of the board of state charities, to place and maintain such children at the expense of the county, in some family, or in the nearest children's home at which they can be received; provided, that no child under the age of two years shall be separated from its mother, if such mother shall be an inmate of a county infirmary, unless with the approval of the probate court first given; and, provided further, that no child under the age of four years shall be separated from

Separation  
of young  
child from  
mother;  
what ap-  
proval neces-  
sary.

its mother, if such mother be an inmate of a county infirmary, without the consent of its mother, except with the like approval of the probate court.

SEC. 3. All children indentured or placed in charge of any person, as provided for in section two of this act, shall be reported to the board of county visitors (where such board exists) of the county in which they reside, and it shall be the duty of such board by one or more of its members, to visit such children, as far as practicable, at least once in a year, and inquire into the management, condition and treatment of such children, and for that purpose may have private interviews with such children at any time; and if it shall come to the knowledge of such board of visitors that any child thus placed in charge of any person, as aforesaid, is neglected, abused or improperly treated by the person having such child in charge, or that the person holding the child is unfit to have the care thereof, they shall report the fact to the officers of the institution by which such child is indentured, and such officers shall cancel the contract, and cause the child to be returned to the institution from which he or she was taken, or indentured to some other person, or to be discharged, in the discretion of such officers; in all contracts or indentures for binding out children from any state or county institution, the officers making the same shall expressly secure the right to cancel the contract whenever, in their judgment, the interests of the child are not properly cared for; provided, however, that nothing contained in this bill [act] shall be considered as applicable to private charitable asylums for the care, protection and training of children that have their own methods for the visitation of indentured or adopted children.

Indentured  
children—  
duties of  
visiting  
board.

SEC. 4. This act shall take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 9, 1883.

[House Bill No. 829.]

#### AN ACT

To amend section 742 of the revised statutes of Ohio.

#### LONGVIEW ASYLUM.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section seven hundred and forty-two of the revised statutes of Ohio be amended so as to read as follows:

Proceedings  
for discharge  
of patient.

Section 742. Any inmate of the institution may, at any time, be discharged therefrom by the superintendent, with the consent of the directors; and when an insane person of the asylum is cured, the superintendent shall discharge him forthwith; and the superintendent may furnish him suitable clothing and a sum of money not exceeding ten dollars, if deemed necessary; when pauper idiots and harmless incurable insane persons are discharged, the superintendent shall issue his warrant to some suitable person, which warrant shall be substantially as follows:

Form of war-  
rant.

The state of Ohio, Hamilton County, ss.

The proper authority having directed the discharge of A. B., an inmate of Longview asylum, you are hereby commanded to remove said inmate to the county infirmary.

Witness my hand and official seal this — day of —, A. D. —.

A. B., Superintendent.

Upon the receipt of such warrant, the person to whom it is directed shall forthwith execute it, and the superintendent of the county infirmary shall receive such inmate; and should any such person so sent to the county infirmary become unmanageable, the superintendent of the infirmary may return him to Longview asylum, upon the approval of the board of infirmary directors, and the cost of maintaining any such person thus returned, received from Longview asylum in the county infirmary, shall be paid out of the asylum fund, and may not exceed the average cost of maintaining the inmates of the infirmary; provided, however, that all such discharged inmates, under the provisions of this act, who may have been sent to Longview asylum from territory within the corporate limits of the city of Cincinnati, shall be sent to, and received by, the superintendent of the city infirmary as an inmate thereof.

Proviso.

SEC. 2. That original section 742 be, and the same is hereby repealed.

SEC. 3. This act to be in effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 656.]

#### AN ACT

To amend sections 63, 66 and 70 of the revised statutes of Ohio, as amended April 19, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That sections sixty-three, sixty-six and seventy of the revised statutes of Ohio, as amended April 19, 1881, be amended so as to read as follows:*



Section 63. There shall be printed, in pamphlet form, the number hereinafter stated of each of the annual reports of the following officers and boards:

Reports of  
state officers;  
number to  
be printed.

Auditor of state, including detailed statement of receipts and disbursements: For the auditor, nine hundred copies; for the general assembly, fifteen hundred copies.

Secretary of state, including statistics: For the secretary, five thousand copies; for the general assembly, sixteen thousand nine hundred copies. Said report of the secretary of state to be bound in muslin in the usual manner. Said report shall also be printed in the German language, and to determine the number of copies to be printed in German, it shall be the duty of the secretary of state to ascertain from each member of the general assembly what number of copies he is entitled to receive he wishes in the German language, and the aggregate number so determined shall be printed in German and distributed to members of the legislature accordingly.

Treasurer of state: For the treasurer, three hundred copies; for the general assembly, six hundred copies.

Sinking fund commissioners: For the commissioners, two hundred copies; for the general assembly, six hundred copies.

Attorney-general: For the attorney-general, two hundred copies; for the general assembly, six hundred copies.

Commissioner of common schools: For the commissioner, eighteen thousand copies; for the general assembly, six hundred copies; for the boards of county school examiners, four thousand copies, to be distributed among the teachers. Said reports of the commissioner of common schools to be bound in muslin in the usual manner.

Commissioners of the state library: For the commissioners, five hundred copies; for the general assembly, six hundred copies.

Supervisor of public printing: For the supervisor, two hundred copies; for the general assembly, six hundred copies.

Commissioner of railroads and telegraphs: For the commissioner, one thousand copies; for the general assembly, one thousand copies. Each copy to contain a correct map of the state; railroad maps mounted on pasteboard; one thousand, for distribution by the members of the general assembly.

Commissioners of fisheries: For the commissioners, five hundred copies; for the general assembly, five hundred copies.

State supervisor of oils: For the supervisor, five hundred copies, for the general assembly, five hundred copies.

Adjutant-general: For the adjutant-general, nine hundred copies; for the general assembly, six hundred copies.

Board of public works: For the board, three hundred copies; for the general assembly, six hundred copies.

Warden and directors of the penitentiary: For the warden and directors, one thousand copies; for the general assembly, one thousand copies.

Institution for the education of the deaf and dumb : For the institution, one thousand copies ; for the general assembly, one thousand copies.

Institution for the education of the blind : For the institution, one thousand copies ; for the general assembly, one thousand copies.

Columbus asylum for the insane : For the superintendent, eight hundred copies ; for the general assembly, eight hundred copies.

Athens asylum for the insane : For the superintendent, eight hundred copies ; for the general assembly, eight hundred copies.

Dayton asylum for the insane : For the superintendent, eight hundred copies ; for the general assembly, eight hundred copies.

Cleveland asylum for the insane : For the superintendent, eight hundred copies ; for the general assembly, eight hundred copies.

Longview asylum for the insane : For the superintendent, eight hundred copies ; for the general assembly, eight hundred copies.

Commissioners and superintendent of reform farm school : For the commissioners and superintendent, one thousand copies ; for the general assembly, fifteen hundred copies.

Institution for idiotic and imbecile youth : For the institution, fifteen hundred copies ; for the general assembly, one thousand copies.

Girls' industrial home : For the superintendent, five hundred copies ; for the general assembly, six hundred copies.

Board of state charities : For the board, two thousand copies ; for the general assembly, one thousand copies.

Soldiers' and sailors' orphans' home : For the board of trustees, one thousand copies ; for the general assembly, one thousand copies.

Ohio state university : For the trustees and officers, five thousand copies ; for the general assembly, one thousand copies.

Inspector of mines : For the inspector, five hundred copies ; for the general assembly, two thousand copies.

Commissioner of labor statistics : For the commissioner, five hundred copies ; for the general assembly, two thousand copies. Said report shall also be printed in the German language, and the number of copies so to be printed, shall be determined in the same manner as is provided in regard to the secretary of state's report.

Superintendent of insurance : For the superintendent, twenty-five hundred copies of each of his reports, of which, five hundred volumes, containing both reports, shall be bound in cloth ; for the general assembly, three hundred copies of each of his reports ; of each of the aforementioned reports, one hundred copies in addition for the state library.

State board of agriculture : Twenty-four thousand copies shall be printed in type and execution to conform to the report of said board for 1880, five thousand copies to be subject

to the state board of agriculture for exchange and foreign distribution. Fifteen thousand of said reports the secretary of state shall apportion among the members of the general assembly, and four hundred copies shall be distributed by the secretary of state. The number of German reports for each member shall be determined by a list to be furnished to the secretary of state by the committee on agriculture in each house, on which list shall be stated the name of members desiring German copies, and number of copies so desired. Said numbers shall be boxed and directed to the members in care of the county auditors of the counties where they respectfully reside. The county auditors shall notify the respective members within ten days after the receipt of said report; and if not removed by the person to whom directed, or on his written order within thirty days, then said auditor shall deliver said reports to the secretary of the county agricultural society for distribution. The charges for transportation of these reports shall be paid in the same manner as may be provided by law for the distribution of laws and journals; provided, that said English copies shall be printed and delivered to the state binder not later than the fifteenth day of September of each year, and said German copies not later than the first day of October of each year.

Section 66. At the same time that the documents mentioned in sections sixty-three and sixty-five are printed in pamphlet form, there shall be printed on the same type one thousand copies of each document named, in a volume or volumes, paged consecutively, with running heads designating each report, to be styled "executive documents," to be bound in half law binding, and the supervisor of public printing shall make out an index to be printed at the commencement or close of each volume. There shall be no charge for composition for printing the one thousand copies of said executive documents, except for the index and title page; but the commissioners of public printing may allow a fair compensation for the time consumed in changing the forms. Two copies of these executive documents when so bound shall be sent to each county auditor, one to be placed on file in his office and the other in the office of the county clerk; the report of the secretary of state, auditor of state, commissioner of railroads and state school commissioner, shall not be put in the executive documents.

**Executive documents; number to be printed.**

Section 70. The secretary of state shall, as soon as the laws, journals, and executive documents of each session are printed and ready for distribution, box up the number of each to which each county may be entitled, together with such number of extra copies of the laws for sale as he deems sufficient to supply the demand for the same, and forward them by public conveyance to the auditor of the county, and the secretary of state shall, in like manner, as soon as the agricultural reports are ready for distribution, box up and distribute the same, as provided in section sixty-three; and if any county seat be so situated that the laws, journals, reports and documents cannot be sent to the same by public

**Laws, journals, and documents to be sent to county auditors.**

conveyance, they shall be forwarded to a secure place as near such county seat as practicable, and the secretary of state shall notify the county auditor in writing of the delivery of the same at such point, and the county auditor shall contract with some person to convey the same to the county seat. The treasurer of each county shall, on the order of the auditor, pay the charges for the conveyance of the same from Columbus to such county seat.

SEC. 2. That sections 63, 66 and 70 of the revised statutes of Ohio, as amended April 19, 1881, be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 544.]

#### AN ACT

To amend section 974 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section nine hundred and seventy-four of the revised statutes of Ohio be amended so as to read as follows:

**Duties of  
officers in  
certain cases  
relating to  
paupers.**

Section 974. When in any county having an infirmary the trustees of a township shall, after the inquiry provided for, be of the opinion that the person complained of is in a condition requiring public relief, they shall forthwith transmit a statement of said facts, together with the amount of relief furnished, if any, so far as they have been able to ascertain the same to the superintendent of the infirmary; and if it appears that such alleged pauper is legally settled in said township, or has no legal settlement in this state, or that such settlement is unknown, and the superintendent is satisfied that said alleged pauper requires public relief, he shall forthwith receive said pauper, and provide for him or her in said institution, and furnish transportation for said pauper to the infirmary; and thereupon, the directors shall certify to the correctness of the items contained in the bill of said trustees, for costs and expenses incurred by them in affording temporary relief to said pauper; and if such statement of facts, so ascertained by said trustees, is transmitted to the directors of the infirmary within five days after the same came to their knowledge, then said bill of such trustees shall be paid out of the poor fund of the county upon the warrant of the auditor thereof; provided, that the superintendent, when he admits a person into the infirmary as hereinbefore provided, shall immediately report the same in writing, together with the reasons therefor, to the directors, and they may discharge an inmate of the infirmary at any time.

**Superinten-  
dent shall re-  
port to in-  
firmiry di-  
rectors.**

SEC. 2. That said original section 974 be and the same is hereby repealed; and this act shall take effect upon its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

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[House Bill No. 852]

AN ACT

To amend section 4447 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4447 of the revised statutes of Ohio be so amended as to read as follows:

Section 4447. The commissioners of any county at any regular or called session may, in the manner provided in this chapter, when the same is necessary to drain any lots, lands, public or corporate road or railroad, and will be conducive to the public health, convenience or welfare, cause to be located, and constructed, straightened, widened, altered or deepened, any ditch, drain or water course; or cause the channel of all or any part of any river, creek or run, within such county to be improved by straightening, widening, deepening or changing the same, or by removing from adjacent lands any timber, brush, trees or other substance liable to form obstructions therein.

When county commissioner may construct ditches or improve channel of river or creek.

SEC. 2. Said original section 4447 is hereby repealed.

SEC. 3. This act shall be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

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[Senate Bill No. 175.]

AN ACT

To amend section 6968 of the revised statutes of Ohio, as amended April 20, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-nine hundred and sixty-eight of the revised statutes of Ohio, as amended April 20, 1881, be amended so as to read as follows:

**Misdemeanor to catch fish except by hook and line, in certain waters.**

Section 6968. Whoever, in any body of water, whether natural or artificial, lying in the state of Ohio, except in private fishing waters, in Lake Erie, Mercer county reservoir, and the Licking county reservoir, catch in any way other than by hook and line, any fish, except minnows, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever draws, sets, places or locates any pound net, seine, gill net, trap or any fish net or other device for catching fish, except for minnows, or catches, except with hook and line, any fish except minnows, aforesaid, in any of the inland waters of the state of Ohio, or the waters of Lake Erie, west of Avon Point, from the first day of June to the first day of October of each year, or in the waters of Lake Erie, east of Avon Point, from the tenth day of June to the tenth day of October, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever shall, at any time of the year, in Lake Erie, in the vicinity of the islands thereof, and in the bays tributary thereto, upon the shoals and reefs therein, by means of any device whatever, fish for or catch any fish, shall be guilty of a misdemeanor, and, on conviction, punished as provided hereafter. Whoever buys, sells, or offers for sale, any fish caught out of season or in any manner prohibited by this act, shall be guilty of a misdemeanor, and, on conviction, punished as hereinafter provided; provided, that nothing in this section or the several statements of offenses herein contained shall prevent the fish commissioners of this state, or their agents, from taking fish at any time or place for stocking ponds, lakes and rivers, and for the maintenance and cultivating fish artificially, and for no other purpose; and provided further, it is hereby made the duty of said fish commissioners, on complaint of any person or otherwise, to prosecute all violations of this section, and any person may make complaint of any violation of this section before any mayor or justice of the peace having jurisdiction of the same. And whoever shall violate any of the several provisions herein contained, shall, for each and every such offense, be fined not more than one hundred dollars and not less than one dollar, or imprisoned not more than sixty days, or both, at the discretion of the court; that nothing in this section shall prevent the catching of suckers and mullets in any manner between the twentieth day of March and the twentieth day of April in each year.

**Buying or selling same.**

**Proviso.**

**Penalty.**

SEC. 2. That said section 6968, as amended April 20, 1881, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 825.]

## AN ACT

To provide for the improvement and development of railroads owned in common by two or more railroad companies within this state.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That in case two or more railroad companies, being the owners in common of the whole or any part of a railroad situated within this state, and by reason of inequality in the amount of business done thereon by each company, require a different degree and extent of improvement and development of the same, it shall be lawful for such companies to enter into any arrangement that may be agreed upon between them for enlarging, improving, developing or increasing the facilities of such railroad or any part thereof; and in pursuance of such agreement, or otherwise, to make such division of the railroad and appurtenances so owned in common, and to execute and deliver each to the other, or to any other railroad company having authority to purchase the same, such deed or deeds of conveyance for the whole or any part of such railroad, as may be agreed upon between such companies; provided, nothing herein contained shall impair the lawful lien of any creditor upon the railroad which may be conveyed as aforesaid.

Two or more companies owning a railroad may make division of interests and dispose of same.

**SEC. 2.** In case such companies shall be unable to agree upon an equitable plan for improving and developing, or for the division and sale of the railroad and appurtenances or any part thereof so owned in common, it shall be lawful for either company from time to time to file with the commissioner of railroads and telegraphs a statement, under the seal of such company, of the character and estimated cost of any addition to, or change in the nature of the road-bed, the right of way, main or side track or tracks, bridges, culverts, buildings, structures, fixtures, or appurtenances, or either or any part thereof, of said railroad, or part of railroad, desired by such company, and of its inability to agree with the other joint owner or owners in respect to the making of such additions or improvements. Upon the receipt of such statement the commissioner of railroads and telegraphs shall, within thirty days of the filing of such statement, appoint a time when the owners of such railroad or part of railroad may be heard respecting the reasonableness and necessity of such proposed additions or improvements, and give due notice in writing of the time and place of such hearing to each of the owners aforesaid, and it shall be lawful for such commissioner to make such order in respect to the reasonableness or necessity of the whole or any part of such additions or improvements, as well as the manner in which the same shall be made, and the periods within which the same shall be paid for, as to him shall seem proper, and his decision in the matter shall be final.

Proceedings when such companies cannot agree upon division.

**SEC. 3.** The cost of such additions or improvements shall in all cases, unless otherwise agreed between the joint owners, be paid by them in proportion to their ownership in the joint property, irrespective of the amount of traffic which

The cost of additions or improvements; how paid.

each owner may then have passing over such railroad. If either owner shall fail or refuse to pay the share of such cost as may be due from it on the basis herein fixed, or within the period or periods which may be fixed by the commissioner of railroads and telegraphs, as aforesaid, suit may be entered and judgment taken against the party so in default, and the judgment so entered shall be a valid lien upon the interest of the party in default in said railroad or part of railroad owned jointly as aforesaid, and such interest may be sold at public sale as in other cases upon execution, and it shall be lawful for any railroad company having authority to own or operate a railroad in this state to purchase such interest at such sale, and to enjoy and exercise in respect to the interest so purchased, all the rights, privileges and franchises which were exercised or enjoyed by the company owning the same at the time of said sale. Provided, that the compulsory power of enforcing additions or improvements provided for in this and the preceding section shall not extend to local or terminal depot or shop grounds or facilities, the joint use of which shall not be needed by all the joint owners.

Partition not to be compulsory.

SEC. 4. Nothing contained in this act shall be held to imply or confer a right or power of compulsory partition of the joint property against the will of either of the joint owners; but the same may be sold upon execution as herein provided.

Company selling interest in road may purchase or condemn land along chartered route.

SEC. 5. In case either company shall, pursuant to the agreement or to the proceedings aforesaid, sell or convey, or suffer to be sold or conveyed, its interest in the railroad or part thereof so owned in common, it shall be lawful for such company to acquire by purchase or condemnation, such land as may be needed to enable it to construct and maintain and operate a railroad along and adjacent to such portion of its chartered route as may have been sold or conveyed aforesaid, and such company shall have and enjoy all rights and franchises in respect to such newly acquired railroad as were held and enjoyed in respect to said railroad sold or conveyed as aforesaid.

To what companies this act applies.

SEC. 6. This act shall apply in case one or more companies, owners in common as aforesaid, shall have leased its interest in the portion of railroad so owned in common, and the lessee of such interest may unite with the lessor in the agreement provided for in section one of this act, or may with such lessor and owner be compelled to make or pay for the addition and improvements contemplated in this act.

SEC. 7. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 11, 1883.



[House Bill No. 813.]

## AN ACT

To amend sections 918 and 919 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections nine hundred and eighteen and nine hundred and nineteen be so amended as to read as follows:

Section 918. The county commissioners may, when they deem the same expedient, offer such rewards as in their judgment the nature of the case requires, for the detection or apprehension of any person charged with or convicted of a felony, and pay the same on the conviction of such person, together with all other necessary expenses, not otherwise provided for by law, incurred in making such detection or apprehension, out of the county treasury, and said commissioners may, when they deem the same expedient on the collection of a recognizance given and forfeited by such person, pay the reward so offered, or any part thereof, together with all other necessary expenses, not otherwise provided for by law, incurred in making such detection or apprehension.

County commissioners may offer reward for apprehension of criminals.

Section 919. The county commissioners may, when they deem the same expedient, offer such reward, or employ such detectives, as in their judgment the nature of the case requires, for the detection or apprehension of any person charged with or engaged in horse-stealing, aiding or abetting the same, and upon the conviction of such person, the commissioners may pay such reward, or other compensation, out of the county treasury; and said commissioners may, on the collection of a recognizance given and forfeited by such person, if they deem it expedient, pay such reward or other compensation; but in no case shall the owner of the stolen horse or horses be entitled to any of said reward.

Reward for apprehension of horse thief.

SEC. 2. That said original sections 918 and 919 are hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 810]

## AN ACT

To amend section 850 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section eight hundred and fifty of the revised statutes of Ohio be amended to read as follows:

Duties of  
clerk of  
county com-  
missioners.

Record of  
yeas and  
nays, etc.

Section 850. The clerk shall keep a full and complete record of the proceedings of the board, and a general index thereof, in a suitable book provided for that purpose, entering every motion with the name of the person making the same on the record, and he shall call and record the yeas and nays on every motion which involves the levying of taxes or the appropriation or payment of money; he shall state fully and clearly in the record any question relating to the powers or duties of the board which is raised for its consideration by any person having an interest therein, together with the decision upon the same, and shall call and record the yeas and nays by which said decision was arrived at; and shall record, when requested by the parties interested in the proceedings, or by either of them or by their council, any legal proposition decided by the board, together with the decision thereon, and the votes by which the decision was reached; and if either party, in person or by council, except to said decision, the clerk of the board shall record such exception in connection with the record of the decision. The record book of the board of county commissioners shall be kept, when the board is not in session, in the auditor's office, and open to public inspection at all proper times; it shall be duly certified by the president and clerk, and shall be received as evidence in every court of the state; and in counties where no index has been made of such record, the commissioners thereof are hereby authorized to cause an index to be made of such past records; and the clerk shall receive for indexing, provided for in this section such compensation as is provided for like service in other cases.

SEC. 2. That original section 850 of the revised statutes be repealed, and that this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 458.]

#### AN ACT

To amend sections 6448 and 6449 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6448 and section 6449 of the revised statutes of Ohio be amended so as to read as follows:

Proceedings  
when land is  
held without  
agreement  
by a corpo-  
ration.

Section 6448. When a corporation, authorized by law to make appropriation of private property or the land named in section 6439 of this chapter, has taken possession of, and is occupying or using the land of any person, or the land mentioned in said section 6439, for any purpose, and the land so occupied or used has not been appropriated and paid for

by the corporation, or is not held by any agreement in writing with the owner thereof, or the trustees or school officers having possession or control of the lands named in said section 6439, such owner or owners, or either of them, or said trustees or school officers, may serve notice, in writing, upon the corporation in the manner provided for the service of summons against a corporation, to proceed under this chapter to appropriate the lands, and on failure of such corporation for ten days so to proceed, said owner or owners, or said trustees or school officers may file a petition in the probate court of the proper county setting forth the fact of such use or occupation by the corporation, that the corporation has no right, legal or equitable, thereto, and in cases of reserved sections sixteen (16) and twenty-nine (29), or any part of sections granted by congress in lieu of section 16, for school purposes, named in section 6439, no right, legal or equitable, derived from the trustees and officers named therein, that the notice provided in this section has been duly served, that the time of limitation under the notice has elapsed, and such other facts, including a pertinent description of the land so used or occupied, as may be proper to a full understanding of the facts. Such owner or owners, or such trustees or school officers, intending to institute said proceeding, may demand, in writing, from the president or chief officer of such corporation a specific description of each parcel of land so used or occupied without appropriation by it, of the work, if any, constructed or intended to be constructed thereon, and the use to which the same is to be applied, and upon failure of said corporation for ten days to furnish the same, as fully and completely as would be required of it in proceeding under section 6416, the fact of such demand and failure may be alleged in the petition in such proceeding, and on notice to the corporation and proof thereof being made to the probate judge having jurisdiction of such appropriation, he shall restrain said corporation from the use and occupation of said land until said demand has been complied with, or such owner or owners, or said trustees or school officers may cause the necessary surveys to be made therefor, and the costs thereof shall be taxed to said corporation in said proceeding.

Section 6449. A summons shall issue and be served upon the corporation, and thereafter the proceedings in said court shall be conducted to final judgment in all respects as provided in this chapter; and if the corporation fail to pay the judgment and costs awarded against it in the proceeding, the same may be collected by execution as in other cases; but this section shall not be construed to impair or lessen in any manner the right the owner or owners or the trustees or school officers named in section 6439 of this chapter may have to proceed against the corporation as in all other cases of the unlawful entry upon lands.

Summons in such case.

Judgment and execution.

SEC. 2. That original sections 6448 and 6449 of the revised statutes of Ohio be and the same are hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 12, 1883.

[House Bill No. 920.]

#### AN ACT

Making appropriations to repair the canals of the state of Ohio.

For repair of  
Ohio, Miami  
and Erie ca-  
nals, and  
Muskingum  
improve-  
ment.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, the following sums for the purposes herein named, to-wit: To repair breaches in the banks, locks, aqueducts, culverts and dams on the Ohio canal, forty one thousand eight hundred and twenty-eight dollars (\$41,828); to repair breaches in the canal banks, locks, aqueducts, culverts and dams in the Miami and Erie canal, twenty-nine thousand eight hundred and forty-five dollars (\$29,845); to repair locks and dams on the Muskingum improvement, forty thousand three hundred and twenty-seven dollars (\$40,327). All the said several sums shall be expended under the care and supervision of the board of public works of the state of Ohio.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 12, 1883.

[Senate Bill No. 270.]

#### AN ACT

To amend section 3305 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section thirty-three hundred and five of the revised statutes of Ohio be so amended as to read as follows:

Lease of  
railroad—  
security re-  
quired; void  
if rental not  
paid.

Section 3305. No company shall lease its road or any part thereof to any other company, whether of this or any other state, as hereinbefore provided, unless the lessor receive full and adequate security for the payment of the rental and for the preservation of the property of the lessor, in as good condition as on entering into possession, and if the lessee fail to pay such rental promptly when due, such lease shall be void,

at the option of the lessor ; and the company to whom any railroad is leased, if a corporation of any other state, shall be subject to all the restrictions, disabilities, and duties of a railroad company incorporated within this state ; and notwithstanding such lease the corporation of this state lessor therein, shall remain liable as if it operated the road itself, and both the lessor and lessee shall be jointly liable upon all rights of action accruing to any person for any negligence or default growing out of the operation and maintenance of such railroad, or in any wise connected therewith, and may be jointly sued in any of the courts of this state of proper jurisdiction, and prosecuted to final judgment therein as in other cases of joint liability ; and provided, that service may be had upon said companies, or either of them, by the service of process upon any officer or agent of either of said companies.

Lessor and  
lessee jointly  
liable.

SEC. 2. Said original section 3305 of the revised statutes of Ohio is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 13, 1883.

[Senate Bill No. 275.]

#### AN ACT

To amend section 5226 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section fifty-two hundred and twenty-six of the revised statutes of Ohio be so amended as to read as follows :

Section 5226. In addition to the cases and matters specially provided for, such appeal may be taken by a party or other person directly affected, from a judgment or final order in a civil action rendered by the court of common pleas, and of which it had original jurisdiction, if the right to demand a jury therein did not exist, and from an interlocutory order, made by the court of common pleas, or a judge thereof, dissolving an injunction in a case of which that court had original jurisdiction ; but such interlocutory order dissolving such injunction shall not be suspended by the appeal except by order of the district court, or any two judges thereof in vacation, on notice to the adverse party ; provided, that the court or judge may, at the time of making such interlocutory order, in his discretion, upon good cause shown, suspend the operation thereof for any period not exceeding ten days, within which period the party appealing may perfect the appeal.

When an  
appeal may  
be taken.

Proviso.

SEC. 2. That section 5226 of the revised statutes of Ohio be and the same is hereby repealed; and this act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[House Bill No. 971.]

AN ACT

Making appropriation to meet deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, the following sums for the purposes herein named, to wit:

*Adjutant-General's Department:*

For transportation Ohio National Guard over Toledo, Delphos and Burlington railroad to Garfield obsequies, fifty-four dollars (\$54.00).

For coal for state house, five hundred and sixty-nine dollars and forty cents (\$569.40).

To B. B. Crane for repairs state house, eighty-seven dollars and sixty cents (\$87.60).

For payment Cleveland Grays and first Battery of Ohio National Guards under the call of the mayor of Cleveland June 14, 1882, for services necessary to aid the civil authorities in the suppression of riot, eight hundred and thirty-seven dollars and twenty-one cents (\$837.21).

For payment of Company I, sixteenth regiment Ohio National Guard, forty-five dollars for services at Clyde, Ohio, July 22, 1881, under call of the mayor.

That the balance of appropriation passed March 27, 1882, for the per diem and subsistence of the National Guard at the Garfield obsequies, be transferred and made payable to the Colonel of the eighth regiment Ohio National Guard, and the auditor of state is authorized to pay the same upon the certificate of said officer.

To Abbott, Stoner and Horne, for materials for state house, eighteen dollars and thirty-three cents (\$18.33).

*Commission of Fisheries:*

For the distribution of fish, and salaries, nineteen hundred and ninety dollars (\$1,990).

*Commissioner of Railroads:*

For furniture, thirty-six dollars and fifty cents (\$36.50).

*Commissioner of Labor Statistics:*

For contingent expenses, fifty-four dollars and eighty cents (\$54.80).

*Inspector of Mines:*

For court costs, Trumbull county, one hundred and twenty-eight dollars and fifty-nine cents (\$128.59).

For court costs, Mahoning county, eighty-six dollars and twenty cents (\$86.20).

For contingent expenses of the office, fifteen dollars and fifty cents (\$15.50).

*Legislature:*

For salaries, mileage of members, per diem of clerks, sergeant-at-arms and employes of the general assembly, four thousand six hundred and thirty-nine dollars (\$4,639).

Four hundred dollars (\$400) with which the auditor of state is hereby required to take up and pay the certificates dated April 17, 1882, heretofore issued to senate employes.

To Kershaw and Krauss for carpet, etc., for senate chamber, eight hundred and fifty-four dollars and fifty-nine cents (\$854.59).

For salary of the Lieutenant-Governor, one hundred dollars (\$100).

*Supervisor of Public Printing:*

For state printing, two thousand six hundred and twenty-five dollars (\$2,625).

For printing in German vol. four on geology, three hundred and ninety dollars and two cents (\$390.02).

For state binding, three thousand nine hundred and forty-six dollars and forty-nine cents (\$3,946.49).

For furniture and carpet, twenty-five dollars (\$25.00).

For constitutional amendment, seven dollars and thirty-four cents (\$7.34).

*Clerk of Supreme Court:*

For contingent expenses, seventy-six dollars and forty-five cents (\$76.45).

*Reporter of Supreme Court:*

For contingent expenses, thirty-five dollars (\$35.00).

*Secretary of State:*

For stationery, thirteen hundred and three dollars and nine cents (\$1,303.09).

For distribution of laws and journals, three hundred and nine dollars and seventy-two cents (\$309.72).

*Treasurer of State:*

For salary of night-watch, four dollars and twenty-six cents (\$4.26).

*Athens Asylum:*

For ordinary repairs, twenty-one hundred and four dollars and forty-two cents (\$2,104.42).

For pictures, fifty-six dollars and forty-two cents (\$56.42).

*Cleveland Asylum:*

For ordinary repairs, twelve hundred and thirty-three dollars and eighty-one cents (\$1,233.81).

*Columbus Asylum:*

For ordinary repairs, six thousand four hundred and forty-two dollars and one cent (\$6,442.01)

For painting wards, eight hundred and fifty-five dollars and seventy-six cents (\$855.76).

*Dayton Asylum:*

For extension of main building, sixteen hundred and forty-seven dollars and fifty-seven cents (\$1,647.57).

For ordinary repairs, two thousand seven hundred and thirty-five dollars and nineteen cents (\$2,735.19).

For furniture for employes' rooms, two hundred and fifty-seven dollars and twenty-six cents (\$257.26).

For purchase of new range, nine hundred and thirty dollars and twenty cents (\$930.20).

For heating strong room, one hundred and seven dollars and eighty-five cents (\$107.85).

For completion of gas works, eight hundred and sixty-two dollars and ninety cents (\$862.90).

*Deaf and Dumb Asylum:*

For ordinary repairs, three hundred and eight dollars and twenty-one cents (\$308.21).

For steam heating, one hundred and twenty-six dollars and nineteen cents (\$126.19).

For printing, three hundred and eleven dollars and sixty-eight cents (\$311.68)

For shop improvements, two hundred and twenty-seven dollars and seventy-five cents (\$227.75).

For changing pipes in shop extension, twenty-two dollars and sixty-three cents (\$22.63).

*Blind Asylum:*

For salaries of officers and teachers, one hundred and fifty-six dollars and twenty cents (\$156.20).

For books and school apparatus, sixty-five dollars and thirty-nine cents (\$65.39).

For ordinary repairs, one hundred and sixty-two dollars and seventy-seven cents (\$162.77).

For expenses of trustees, fifty-seven dollars (\$57.00).



*Imbecile Asylum:*

For current expenses, including rent of land, five thousand seven hundred and eighty-seven dollars and eleven cents (\$5,787.11).

For expenses of trustees, one hundred and seventy-four dollars and ninety cents (\$174.90).

For ordinary repairs and furniture, four thousand three hundred and fifty-five dollars and ninety cents (\$4,355.90).

*Soldiers' and Sailors' Orphans' Home:*

For current expenses, seventeen thousand six hundred and twenty-three dollars and ninety-five cents (\$17,623.95).

For ordinary repairs, three hundred and ninety-five dollars and fifty-eight cents (\$395.58).

For orphans outside of home, eight hundred and seventy-five dollars and thirty-two cents (\$875.32).

For industrial pursuits, four hundred and twelve dollars and ninety-eight cents (\$412.98).

For Rev. T. M. Hopkins, for services as clergyman heretofore rendered, one hundred and fifteen dollars (\$115).

*Ohio Penitentiary:*

For current expenses, eleven thousand four hundred and twenty-three dollars and ninety-four cents (\$11,423.94).

For salaries of officers, seventeen hundred and eighty-nine dollars and seventy-two cents (\$1,789.72).

For salaries of directors, fifty-five dollars and thirty cents (\$55.30).

For prosecution and transportation of convicts, seven thousand dollars (\$7,000).

For the prosecution and transportation of William B. Hoyt, convicted of burglary in the court of common pleas of Licking county in 1879, one hundred and nineteen dollars and seventy-six cents (\$119.76); or so much of the cost bill thereof as the warden of the penitentiary shall certify to be correct, as provided by law in cases where the convict has been delivered to him.

*Girls' Industrial Home:*

For expenses of trustees, fifty-eight dollars and two cents (\$58.02).

For livery hire, forty-one dollars (\$41.00).

*Ohio and Pennsylvania State Line Commission:*

For expenses of commissioners, eight hundred and forty dollars and eighteen cents (\$840.18).

For the payment of London fire company, for services rendered during the burning of the imbecile asylum, one hundred dollars (\$100).

To Geo. K. Smith, care of electrical gas lighting apparatus in senate and house, from January to February 1, 1883, at which time the contract ended, twenty-five dollars (\$25.00).

*Ohio River Commission :*

For expenses of commissioners, one hundred and twenty-seven dollars and thirty-five cents (\$127.35).

*Tax Commission :*

For payment of the expenses of the tax commission, the sum of four hundred and eighty dollars (\$480.00); and in addition thereto there be reappropriated and transferred from the balance of the appropriation made for clerk-hire of six hundred and seventy dollars to the expenses of the tax commission, payable as follows: James H. Godman, five hundred dollars (\$500); C. C. Wooley, five hundred dollars (\$500); contingent expenses, one hundred and fifty dollars (\$150).

*Public Works :*

SEC 2. That there is hereby appropriated from any money coming into the treasury as receipts from the public works, the following sums, to wit: For Taft and Lloyd, attorney fees, five hundred and twenty-five dollars (\$525.00).

For L. J. Critchfield, attorney fees, three hundred and fifty-two dollars and twenty-six cents (\$352.26).

For Brewster Coal Company, for damages, two hundred and fifty-five dollars and seventeen cents (\$255.17).

To pay appraisers for assessing damages for Fred. Siebold, fourteen dollars and eighty-two cents (\$14.82).

For contingent expenses, forty dollars (\$40.00).

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 319.]

## AN ACT

To secure the adjustment and settlement of the claims of the state of Ohio against the general government, known as Ohio War Claims.

Agent, may be appointed to prosecute claims against the general government.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor of the state, auditor of state and the attorney-general of the state are hereby fully authorized and empowered, if they deem it expedient, to employ and contract with a competent agent to prosecute to final settlement before congress and the proper department at Washington, the claims of the state of Ohio against the government of the United States for reimbursement of all sums of money which may be due or owing to this state on account of expenditures made or liabilities incurred by said state in en-

rolling, equipping, subsisting and paying troops entering the service of the United States during the war of 1861, and all other claims of this state against the United States, growing out of the late war of 1861, which have not been reimbursed to the state.

SEC. 2. The agent thus employed shall, before entering upon the discharge of his duties, be required to enter into bond to the state of Ohio, to be approved by the attorney-general in such sum as shall be deemed sufficient by the governor of the state, auditor of state, and attorney-general of the state, conditioned that he will faithfully prosecute said claims to final settlement and collection, if practicable, and that he will faithfully demean himself in the prosecution of said claims and the transaction of the business entrusted to him.

Duties and obligation of agent.

SEC. 3. The agent who may be employed under this act, shall be paid out of the general revenue fund of the state such sum not exceeding one thousand five hundred dollars, per annum, commencing February 15, 1883, as may be agreed upon between such agent and the said governor, auditor and attorney-general, reasonable expenses incurred in the prosecution of such claims, and also not exceeding five per cent. of the amount hereafter collected.

Salary; how paid.

May allow reasonable expenses.

SEC. 4. All sums of money collected by the agent employed under this act, shall be made payable to the order of the governor, who shall certify the same into the treasury of the state, to the credit of the general revenue fund, and the amount which said officers agree to pay said agent is hereby appropriated out of any money to the credit of the general revenue fund, and the auditor of state is hereby authorized to draw his warrant for the same, on the order of the governor and attorney-general.

SEC. 5. An act entitled an act to prosecute the claims of the state against the general government, passed April 17, 1880, and be the same is hereby repealed.

SEC. 6. This act to take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 335.]

#### AN ACT

To provide for the election of an additional judge of the court of common pleas in the second sub-division of the second judicial district of the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the second judicial district of the state of Ohio there shall be an additional judge of the court of common pleas, who shall be a resident of the second sub-division

Additional judge in 2d subdivision of 2d judicial district.

of said district, and who shall be elected by the qualified electors of the counties of Champaign and Miami, comprising said second sub-division.

Election;  
term of  
office.

SEC. 2. That the first election for said additional judge shall be held on the second Tuesday of October, A. D. 1884, and his term of office shall commence on the first Monday of November, 1884, and shall continue five years, and a successor shall be elected on the second Tuesday of October, A. D. 1889, and every five years thereafter in the same manner and for the same term of office as is prescribed by the constitution and laws of the state of Ohio for the election of other judges of the court of common pleas.

Sheriff to  
give notice.

SEC. 3. That it shall be the duty of the sheriff in each county in the said second sub-division to give notice by proclamation, as is now provided by law, of the time and place of holding said election; and all other matters pertaining to the election shall be conducted and performed in the same manner as required by law in case of election of judges of courts of common pleas.

Compensa-  
tion and ju-  
risdiction.

SEC. 4. That such additional judge, when elected and qualified, shall receive the same compensation as other judges of the court of common pleas, and shall also, in every respect, have the same jurisdiction, possess the same powers, discharge the same duties, and incur the same penalties as are now or may hereafter be enforced or enjoined by the constitution and laws of the state of Ohio upon other judges of the court of common pleas.

Vacancy;  
how filled.

SEC. 5. That if a vacancy occurs in the office of such additional judge, whether by death, resignation or otherwise, it shall be filled in the manner provided for filling other vacancies in the office of the court of common pleas.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 280.]

#### AN ACT

Supplementary to chapter 1, division 9, of title 12, the revised statutes of Ohio, and to amend sections 2689, 3958 and 3959 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to chapter one, in division nine, of title twelve of the revised statutes of Ohio, and separately designated as follows:

Section 2690a. In each city of the first, second and third grades, of the first class, and in cities of the second class, first grade, and in cities having a population of twenty thousand, and not more than thirty thousand, and in cities having a population of fifteen thousand four hundred and thirty-five, by the last federal census, there shall be a board of tax commissioners to consist of the mayor, the city comptroller or city auditor, and if they have neither city comptroller or city auditor, then the city solicitor and three citizens of such city, to be appointed by the superior court of such city, or, if there be no superior court in such city, the court of common pleas of the county in which such city is situated, and which three citizens last mentioned shall be appointed, one for three years, one for two years, and one for one year, and their successors shall be appointed for three years from the expiration of their respective terms. In case of any vacancy by the death, resignation, removal from such city or otherwise of either of such citizen commissioners, the same shall be filled for the residue of his term by appointment of said court.

Board of tax commissioners for certain cities.

How appointed.

Vacancy; how filled.

Section 2690c. That no tax shall be levied upon the property of any such city by the council thereof, or any school board or other authority therein, until approved by the board of tax commissioners aforesaid.

Board to approve all levies.

Section 2690d. The members of said board of tax commissioners shall not receive any compensation for their services.

No compensation.

Section 2690e. The members of said boards of tax commissioners shall each take an oath to support the constitution of the United States and of the state of Ohio, and to faithfully and honestly perform his duties as such tax commissioner. Each of said boards shall organize by appointing one of its members president, another vice-president; a majority of the members thereof shall constitute a quorum for the transaction of business. The board shall keep a full record of all its proceedings, and the city clerk shall be the clerk of said board, and enter in a book to be provided by the city for that purpose, a full and detailed statement of all its proceedings, which shall be signed by the president or vice-president and said clerk.

Oath and duties.

Section 2690f. In all cities of the first grade of the first class, the city comptroller shall furnish to the two boards of the common council and to the board of tax commissioners, respectively, and to each member of said bodies, on or before the first Monday of April in each year, the following statements, which he shall have printed in such manner as said board of tax commissioners may direct:

1. A statement showing the balance standing to the credit or debit of the several funds on the city balance-sheet at the end of the last fiscal year, immediately preceding said first Monday of April.

Statement to be furnished by comptroller in certain cities.

2. A statement showing the monthly expenditure out of each fund in the twelve months, and the monthly expenditure out of all the funds in the twelve months of the fiscal year immediately preceding said first Monday in April.

3. A statement showing the annual expenditure from each fund for each year for the five fiscal years preceding said day.

4. A statement showing the monthly average of such expenditure from each of the several funds for the preceding fiscal year, and also the total monthly average from all of them for the five preceding fiscal years.

Estimates;  
how to be  
made.

5. A statement containing an approximate and detailed estimate of the money needed to pay all lawful expenses of the city and its several departments, offices, and institutions for each of the twelve months following of the current and succeeding fiscal year; and in calculating the amount of money needed he shall take into account the money then in the treasury, as well as that collectible in June following, and also the probable proceeds from the tax levy of that year as he shall estimate the same, as hereafter required, and all other sources of revenue to the city. He shall be equally careful to avoid surpluses and deficits, and shall treat as means available for current expenses the June and December collections, as soon as under the laws and usages he has a right to presume them to be in the treasury, without waiting for their subsequent distribution to the respective funds.

Statement;  
how fur-  
nished in  
other cities.

6. A statement estimating the total percentage he deems necessary to be levied in that year, so as to provide sufficient means for paying city expenses for the fiscal periods named for statement number five, and he shall also report in said statement to what funds and in what proportions said total levy should, in his opinion, be apportioned as special levies. And in all other cities having a board of tax commissioners in pursuance of this act, said board is hereby authorized to call upon any city officer or board for such information as it may deem necessary to the discharge of its duties, and it is hereby made the duty of such officer or board to furnish such information so required.

Duties of tax  
commission-  
ers and com-  
mon council.

Section 2690g. In all cities of the first grade of the first class, the several members of said board of tax commissioners and of the boards of the common council shall examine and revise said statements carefully, and after the common council shall have determined the percentage to be levied for the several purposes allowed by law upon the real and personal property in the corporation returned on the grand levy, the same shall be forthwith submitted to said board of tax commissioners, who shall thereupon consider the same, and within ten days after such submission shall return the same to the common council with their approval or rejection; in case of rejection, giving their reasons therefor. They may approve or reject any part or parts thereof, and the parts rejected by said board shall not become valid levies. If the board of tax commissioners approve said levies, or if they neglect to return the same with their approval or rejection within ten days, as aforesaid, the same shall be valid and legal.

Section 2690h. In all cities of the first grade of the first class, the common council shall make, by the first week of each fiscal half year, detailed and specific appropriations for the several objects for which the city has to provide, apportioned to each month, of the moneys known to be in the treasury, or estimated to come into it during the six months next ensuing, including in their estimate the next semi-annual December collection of taxes, and all other sources of revenue, and be careful to provide in their appropriations for every legitimate city expenditure, and to apportion the means fairly and legally among such expenditures; and their action thereon they shall transmit to the board of tax commissioners for approval, amendment, or rejection, as they may determine. All expenditures within the following six months shall be made in accordance with and within said appropriation. Balances thereof, or credits remaining over at the end of the year, shall then no longer be open for payment therefrom, and shall be re-credited to the funds from which they were taken; but in making the semi-annual appropriation and apportionment hereby required, it shall be the duty of the common council to deduct and set apart out of the fund for general purposes, the sum of fifty thousand dollars as a contingent fund to provide for any deficiency in either of the detailed and specific appropriations so to be made, which may lawfully and by any unforeseen emergency happen; which contingent fund and any part thereof may be expended for any such emergency only by an ordinance passed by the votes of two-thirds of all the members of each branch of the common council, and approved by the mayor of the city.

Duty of council in certain cities.

Section 2690i. In all cities of the first grade of the first class, to enable the city comptroller and the boards aforesaid to estimate correctly the levies and appropriations aforesaid, the authorities of all the city institutions, as well as every head of a department or office in the city for whose wants provision is to be made, including the board of education and the trustees of the Commercial hospital, shall report to the comptroller on or before the first Monday of March in each year the amount of money needed for their respective wants for the ensuing year, said estimate to be given for each month. The comptroller, as well as the boards of tax commissioners and common council, shall revise them, and, if deemed proper, shall reduce them, so as to prevent unnecessary expenditure, and to bring them within fair limits to the other expenditures required by the city.

City institutions and heads of departments to report estimates.

Section 2690j. No liability whatever shall be created against any city of the first grade of the first class, and no expenditure shall be made for the same, unless it be previously covered by an appropriation sanctioned both by the board of tax commissioners and the common council as above provided, except from the contingent fund of fifty thousand dollars herein provided for; and any tax levied for any purpose whatever in such city without the concurrence of the board of tax commissioners and the common council as

Certain liabilities not valid unless appropriation made and sanctioned by board and council.

herein provided shall be void. And all laws and parts of laws conflicting with the provisions of this act are hereby repealed. Any attempt to create a liability against any such city, contrary to the provisions of this act, shall be null and void.

SEC. 2. That section twenty-six hundred and eighty-nine of the revised statutes of Ohio, as amended by the act passed April 16, 1881, entitled "an act to amend section twenty-six hundred and eighty-nine of the revised statutes of Ohio, as amended March 27, 1880," be and the same is hereby amended so as to read as follows:

Maximum  
tax in cities  
of the first  
grade, first  
class.

Section 2689. The aggregate of all taxes levied or ordered to be put upon the grand duplicate, above the tax for county and state purposes, including the levy for general purposes, and the tax for schools and school-house purposes, and for hospital purposes, and other special purposes, in cities of the first grade of the first class, shall not exceed in any one year sixteen mills on each dollar of the value of any property as valued for taxation on the county tax-list, and such further rate as may be necessary to provide for the payment of the interest, and to create a sinking fund for the redemption of bonds issued, and that may be issued under the act relating to the Cincinnati Southern Railway, passed May 4, 1869, and the acts amendatory thereof and supplementary thereto.

Maximum  
tax in other  
cities and  
villages.

Section 2689a. The aggregate of all taxes levied or ordered by any other municipal corporation than cities of the first grade of the first class, including the levy for general purposes above the tax for county and state purposes, and excluding the tax for schools and school-house purposes, shall not exceed in any one year, in cities of the second grade of the first class, nine and one-half mills, for sewerage purposes three mills, and such further rate as may be necessary to pay the interest on the public debt and for cemetery purposes, as provided by law; in cities of the third grade of the first class, four hundred and fifty thousand dollars (\$450,000). Provided, however, that out of such funds the interest on the indebtedness of such corporation shall be first paid; in cities of the first and second grades of the second class, eight mills, and in addition thereto, such further rate not exceeding five-eighths of one mill, as may be necessary to create a sinking fund for the payment of the principal and interest of the bonds of said cities that may hereafter be issued for the purpose of building and maintaining main trunk sewers in such cities; in cities of the third grade of the second class, twelve mills; in cities of the fourth grade of the second class, nine mills; in villages of the first class, eight mills, and in all other villages, ten mills, on each dollar of the value of any property as valued for taxation on the county tax-list. Provided, that the councils of the municipalities mentioned in this section shall annually, at the time the rate of levy is fixed, provide by ordinance for the distribution of the tax among the several departments of the corporation in such proportion to their needs as the council may deem necessary, and at no time thereafter shall the amounts specified as necessary for

Proviso.



the purposes named be changed, and all transfers of funds from one account to another are hereby expressly prohibited.

SEC. 3. That section thirty-nine hundred and fifty-eight of the revised statutes of Ohio, and section thirty-nine hundred and fifty-nine of said revised statutes, as amended by an act entitled "an act to amend section thirty-nine hundred and fifty-nine of the revised statutes of Ohio," passed April 7, 1882, be amended so as to read as follows :

Section 3958. Each board of education, except in cities of the first grade of the first class, shall annually, at a regular or special meeting to be held between the third Monday in April and the first Monday in June, determine by estimate as nearly as practicable the entire amount of money necessary to be levied as a contingent fund, for the continuance of the school or schools of the district after the state funds are exhausted, to purchase sites for school-houses, to erect, purchase, lease, repair and furnish school-houses, and build additions thereto, and for other school expenses.

Board of education to make estimates of amount necessary for continuance of schools, etc.

Section 3959. Such estimate and levy shall not exceed in cities of the first class, second grade, five mills; and in all other districts, except in cities of the first grade of the first class, seven mills on each dollar of valuation of taxable property; provided, however, that nothing in this section shall be construed as impairing the power of any municipality therein mentioned to make any levy heretofore authorized additional to that allowed by law at the time of such authorization.

Amount of levy.

SEC. 4. That said section 2689, as amended April 16, 1881, and original section 3958, and said act entitled "an act to amend section 3959 of the revised statutes of Ohio," passed April 7, 1882, be and the same are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[House Bill No. 275.]

#### AN ACT

To provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first grade of the first class, no person shall be engaged in any trade, business, or profession hereinafter mentioned, until he or she shall have obtained a license therefor, as hereinafter provided.

License in certain cities.

**Penalty.**

SEC. 2. Any person who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one thousand (1000) dollars, nor less than fifty (50) dollars, or by imprisonment for not more than six months, or by both.

**License not transferable unless by permission of comptroller.**

SEC. 3. No license granted or issued under any of the provisions of this act, shall be in any manner assignable or transferable, or shall authorize any person other than is therein mentioned or named to do business, or shall authorize any other business than is therein mentioned or named to be done or transacted, or the business therein named or mentioned to be done or transacted at any place other than is therein mentioned or named, without permission from the comptroller of said city indorsed thereon.

The comptroller shall, at the time of granting such permission, immediately record such change or transfer upon the proper registry.

**Form of license.**

A license for any business conducted at any particular or fixed locality, shall authorize the transaction of such business by an individual, a firm, or a corporation.

Every such license shall specify, by name, the person, firm, or corporation to whom or which it shall be issued, and shall designate the particular place at which the business shall be carried on.

**License heretofore issued shall be valid.**

SEC. 4. All licenses heretofore issued by the mayor or other duly authorized officer, and now unexpired, shall be valid until the time for which they were granted shall expire.

**Sworn statement to be rendered in certain cases.**

SEC. 5. In all cases where the amount of license to be paid by any person, firm, or corporation is based upon or regulated by the amount of sales effected or business transacted, such person, firm, or corporation shall render a sworn statement to the comptroller, of the total amount of sales made or business done by them, respectively, during the six months preceding the application for a license, which statement shall determine the amount for which such license shall be issued.

**Evidence of liability.**

SEC. 6. Upon the trial of any criminal action brought under or arising from any provision or provisions of this act, the fact that the party thereto represented himself or herself as engaged in any business or occupation, for the transaction of which a license is by this act required, or that such party exhibited a sign indicating such business or calling, shall be conclusive evidence of the liability of such party to pay a license.

**License to be exhibited.**

SEC. 7. Every person having a license under the provisions of this act, shall exhibit the same at all times while in force, in some conspicuous part of his or her place of business, and shall produce the same when applying for a renewal, or when requested to produce it by any municipal officer, or by any member of the police department.

Every peddler, while engaged in peddling, shall carry his

or her license, and shall exhibit the same, if requested by any municipal officer.

SEC. 8. All licenses, excepting to places of amusement, entertainment, performances, or exhibitions, shall date from the first day of January or July of each year, and shall be issued for one year from either of the aforesaid dates. All licenses for theaters, concert-halls, places of amusement, entertainments, performances, or exhibitions, may be issued for the period of one year, or for any shorter time.

Date and term of license.

SEC. 9. All licenses which shall become due on the first day of January or July, shall be considered delinquent if not paid within fifteen (15) days thereafter; or, for every month or fraction of a month a license shall remain delinquent, after the fifteen days allowed from the first day of January or July, as aforesaid, there shall be added to the whole amount of such license a penalty of two per cent., which shall be collected in the same manner as the license.

When due.

Penalty for delinquency.

But the addition, if any, penalty to a license, shall not exempt the person from whom said license may be collectible from any penalty to which he or she may be liable for violating any of the provisions of this act.

SEC. 10. If, at any time, it shall be made to appear to the satisfaction of the mayor, that any licensed person has violated any of the provisions of this act, then the said mayor shall revoke his or her license, and such licensed person shall cease to have any authority thereunder.

License may be revoked.

SEC. 11. In all cases where the rates of license depend upon the receipts or profits of the business, or upon the amount of business done, or upon the number of vehicles used, or upon any other matter peculiarly within the knowledge of the applicant for the license, such applicant may be examined in regard to such matters, and may be required to subscribe to a sworn statement or affidavit, that he has, to the best of his knowledge and belief, truly answered all questions touching the amount of license for which he or she applies or is liable. And if any person applying for license shall make any false statement in regard to his or her business, with intent thereby to procure a license at less rates than those provided in this act, he or she shall be deemed guilty of misdemeanor, and upon conviction thereof, shall be punished as provided in section 2 of this act, and may be adjudged also to forfeit his license.

Proceedings when license depends upon receipts.

SEC. 12. The conviction and punishment of any person for transacting any business without a license, shall not excuse or exempt such person from the payment of any license, due or unpaid at the time of such conviction.

Conviction not to exempt.

#### *Dance-houses and Ball-rooms.*

SEC. 13. Keepers of public dance-houses or ball-rooms shall pay a license fee of three hundred (300) dollars per annum, or ten (10) dollars per night; provided, however, that no license shall be issued without the consent of the mayor.

*Scavengers.*

SEC. 14. Every person, company, or corporation who shall empty, clean, or remove the contents of any privy-vault, or in any manner engage in the business of scavenger, shall pay a license fee of twenty-five (25) dollars per annum.

*Intelligence Offices.*

SEC. 15. Each keeper of an intelligence office, or employment office, shall pay a license of fifty (50) dollars per annum; provided, however, that no license shall be issued without the consent of the mayor.

*Pawnbrokers.*

SEC. 16. Each keeper of a pawnbroker's or loan office shall pay a license fee of two hundred and fifty (250) dollars per annum.

*Billiard and Pool-tables.*

SEC. 17. Each proprietor of a billiard or pool-table shall pay a license of twenty-five (25) dollars for one such table, and fifteen (15) dollars for each additional table, per annum.

*Bowling-Alleys.*

SEC. 18. Each proprietor of a bowling-alley shall pay a license fee of twenty-five (25) dollars for one alley, and fifteen (15) dollars for each additional alley, per annum.

*Peddlers.*

SEC. 19. Peddlers or hawkers of produce or goods from vehicles drawn by animal power, shall pay a license of twenty-five (25) dollars per annum, and those selling goods from vehicles drawn by hand or carried, shall pay a license fee of fifteen (15) dollars per annum. Peddlers or hawkers of meat, fish, game, poultry, oysters, vegetables, fruit, candies, groceries, produce and dairy products, from stands, shall pay a license fee of fifteen (15) dollars per annum; provided, that any person selling produce of his own raising, shall not be liable for license for selling the same.

*Circuses and Menageries.*

SEC. 20. For each circus or menagerie, the owner thereof shall pay license fees as follows:

For the first day, one hundred (100) dollars; for each succeeding day, seventy-five (75) dollars.

For each side-show, concert, musical or minstrel entertainment, or exhibition of monsters or freaks of nature, twenty-five (25) dollars for the first day, and fifteen (15) dollars for each additional day; provided, however, that no license shall be issued without the consent of the mayor.

*Sewerage.*

SEC. 21. No connection shall be made with any sewer or drain without the payment of a license fee of five (5) dollars, and an agreement, in writing, of the person applying therefor, that he will indemnify and save harmless such cities from all loss or damage that may be occasioned in any wise by accident or the want of care or skill on his part in the prosecution of such work, or that may be occasioned by reason of any opening by him made or caused to be made in any street, lane, avenue, market-place or common, in the making of any connection with any public or private sewer as aforesaid; and further, that he will promptly at the proper time replace and restore the street over such opening to as good condition as he found it previous to opening the same; provided, that no license shall be issued, except by the consent of the board of public works.

*Theaters, Concert-halls, etc.*

SEC. 22. Every proprietor or lessee of any theater, concert-hall, or any place of amusement, entertainment, or exhibition, shall pay license, according to their seating capacity—one seat is twenty inches—as follows;

*First*—Those seating nine hundred and seventy-five (975) persons or more, shall pay a license, if issued for one year, of three hundred (300) dollars; if for three months, one hundred (100) dollars; if for one month, fifty (50) dollars; if for one day, five (5) dollars.

*Second*—Those seating less than nine hundred and seventy-five (975) persons, shall pay a license, if issued for one year, of two hundred (200) dollars; if for three months, seventy-five (75) dollars; if for one month, forty (40) dollars; if for one day, five (5) dollars; provided, however, that no license shall be issued without consent of the mayor.

*Hotels, Boarding-houses, Lodging-houses, Restaurants, etc.*

SEC. 23. All keepers of hotels, boarding-houses, lodging-houses, dining-saloons, restaurants, ice-cream saloons, or places of amusement, shall pay an annual license fee as follows:

Those whose gross receipts are over one million (1,000,000) dollars per annum, five hundred (500) dollars.

Those whose gross receipts are over six hundred thousand (600,000) dollars per annum, and less than one million (1,000,000) dollars per annum, three hundred and fifty (350) dollars.

Those whose gross receipts are over three hundred thousand (300,000) and less than six hundred thousand (600,000) dollars per annum, two hundred and fifty (250) dollars.

Those whose gross receipts are over two hundred thousand (200,000) and less than three hundred thousand (300,000) dollars per annum, one hundred and fifty (150) dollars.

Those whose gross receipts are over one hundred thousand

(100,000) and less than two hundred thousand (200,000) dollars per annum, one hundred (100) dollars.

Those whose gross receipts are over sixty thousand (60,000) and less than one hundred thousand (100,000) dollars per annum, seventy-five (75) dollars.

Those whose gross receipts are more than twenty-five thousand (25,000) and less than sixty thousand (60,000) dollars per annum, fifty (50) dollars.

Those whose gross receipts are more than five thousand (5,000) and less than twenty-five thousand (25,000) dollars per annum, twenty-five (25) dollars.

Those whose gross receipts are more than three thousand (3,000) dollars per annum and under five thousand (5,000) dollars per annum, ten (10) dollars.

*Vendors of Gunpowder, and Shooting-galleries.*

SEC. 24. All vendors of gunpowder shall pay a license fee of fifteen (15) dollars per annum.

All keepers or owners of gunpowder magazines shall pay a license fee of one hundred (100) dollars per annum.

SEC. 25. All keepers of shooting-galleries shall pay a license fee of thirty (30) dollars per annum, exclusive of the license fee for gunpowder.

*Livery and Sale-stables.*

SEC. 26. All keepers or owners of livery, sale, or boarding-stables, shall pay licenses as follows :

For those whose gross receipts for the hiring, boarding, and sales of horses and carriages amount to more than fifteen thousand (15,000) dollars per annum, twenty-five (25) dollars per annum.

For those whose gross receipts amount to less than fifteen thousand (15,000) dollars per annum, fifteen (15) dollars per annum.

*Dancing and Riding-schools.*

SEC. 27. Keepers of dancing and riding-academies or schools, whose gross receipts are less than six thousand (6,000) dollars per annum, shall pay a license fee of fifty (50) dollars per annum ; and those whose gross receipts are more than six thousand (6,000) dollars per annum, shall pay a license fee of seventy-five (75) dollars per annum.

*Building Permits.*

SEC. 28. Each applicant for the use of streets or other spaces belonging to the city, for the purpose of depositing building material thereon, shall pay license fees for each permit as follows :

For the use of twenty feet, or less, one (1) dollar.

For the use of more than twenty and less than forty feet, two (2) dollars.

For the use of more than forty feet, and less than seventy-five feet, four (4) dollars.

For the use of more than seventy-five feet, and less than one hundred feet, five (5) dollars.

For one hundred feet and over, ten (10) dollars.

Provided, that no license shall be issued except by the consent of the board of public works.

#### *Hacks and Vehicles.*

SEC. 29. The owners of all vehicles used upon the streets of the city, shall pay annual license fees as follows:

For each buggy or sulky, three (3) dollars.

For each cab or hack, five (5) dollars.

For each one-horse private carriage, three (3) dollars.

For each two-horse private carriage, five (5) dollars.

For each hotel coach or carriage, ten (10) dollars.

For each one-horse cart, three (3) dollars.

For each one-horse dray or truck, five (5) dollars.

For each furniture car, ten (10) dollars.

For each baggage wagon, ten (10) dollars.

For each two-horse omnibus, ten (10) dollars.

For each four-horse omnibus, fifteen (15) dollars.

For each six-horse omnibus, twenty-five (25) dollars.

For each two-horse wagon used for hauling boilers, engines, safes, stone, brick, lumber, logs, or merchandise, fifteen (15) dollars.

For each four-horse wagon, used as above, twenty-five (25) dollars.

For each wagon not before mentioned, drawn by one horse, three (3) dollars.

Drawn by two horses, ten (10) dollars.

Drawn by three horses, fifteen (15) dollars.

Drawn by four horses, twenty (20) dollars.

Drawn by six horses, twenty-five (25) dollars; provided, that none of the provisions of this act shall be held to apply to farmers marketing the products of their own farms, except when engaged in huckstering.

SEC. 30. Keepers of race-courses and ball grounds, and persons engaged in public exhibitions therein, shall pay a license fee as follows:

For each exhibition not continuing for more than one day, and for each day of any exhibition, five (5) dollars; provided, that the keeper of any race-course or ball-grounds, by payment of one hundred (100) dollars, may procure therefor a license for the period of six months, or any portion thereof, which license shall exempt from further license all persons engaged in any exhibition at or upon such race-course or ball-grounds; but no such license shall be granted unless applied for and paid for at least six hours previous to the opening of the exhibition intended to be included within the license.

#### *Dogs.*

SEC. 31. The license tax on every dog shall be two (2) dollars per annum; provided, whenever a dog-check issued

by the comptroller has been lost, taken, or stolen by parties unknown to the owner of such dog, he may, on payment of fifty (50) cents, and on making and subscribing to an affidavit, receive from the comptroller a duplicate dog-check for the remaining portion of the then current year.

SEC. 32. Storage of petroleum, or the product of petroleum, shall be subject to such rules or regulations as are, or may be adopted by the city council, and shall pay a license fee of fifty (50) dollars per annum; provided, that no license shall be issued without the consent of the fire commissioners.

SEC. 33. Street musicians shall pay a license of twenty-five (25) dollars per annum for each instrument used, but no license shall be issued except by the consent of the mayor.

SEC. 34. Bill-posters, advertising sign-painters, and street-car advertisers, shall pay a license of twenty-five (25) dollars per annum.

*Second-hand Articles and Junk-dealers.*

SEC. 35. Every dealer in second-hand articles and keepers of junk-shops, shall pay a license of fifty (50) dollars per annum.

*Astrologers, Fortunc-tellers, Seers, Mediums, etc.*

SEC. 36. Astrologers, fortune-tellers, clairvoyants, mediums, seers, etc., shall pay a license of three hundred (300) dollars per annum.

SEC. 37. Auctioneers shall pay a license as follows:

*First*—Those whose sales amount to one million (1,000 000) dollars and over, per annum, seven hundred and fifty (750) dollars per annum.

*Second*—Those whose sales amount to six hundred thousand (600,000) dollars, and less than one million (1,000,000) dollars per annum, five hundred (500) dollars per annum.

*Third*—Those whose sales amount to three hundred thousand (300,000) dollars, and less than six hundred thousand (600,000) dollars per annum, two hundred and fifty (250) dollars per annum.

*Fourth*—Those whose sales amount to one hundred and fifty thousand (150,000) and less than three hundred thousand (300,000) dollars per annum, one hundred (100) dollars per annum.

*Fifth*—Those whose sales amount to seventy-five thousand (75,000) and less than one hundred and fifty thousand (150,000) dollars per annum, fifty (50) dollars per annum.

*Sixth*—Those whose sales amount to less than seventy-five thousand (75,000) dollars per annum, twenty-five (25) dollars per annum.

Moneys received from license; how distributed.

SEC. 38. All moneys received for license from vehicles of all descriptions, shall be placed to the credit of the street repairing fund.

All other moneys received for licenses issued under this act, shall be placed to the credit of the general fund.



SEC. 39. All moneys due or to become due and payable to the comptroller for the improvement of streets, and the occupation of stalls and benches, and all moneys due or to become due and payable to the mayor for street-car licenses, or for percentage of gross earnings, shall be paid to the city treasurer, upon the certificate of the comptroller stating the amount of money required by law to be paid therefor; said certificate shall be delivered to the city treasurer, who shall, upon the receipt of the money stated therein, give a certificate of payment stating the amount of money paid; said certificate of payment shall be presented to the comptroller, who thereupon shall issue his receipt, retaining the treasurer's certificate of payment as his voucher therefor.

Certain moneys to be paid to city treasurer.

SEC. 40. It shall be the duty of the comptroller or his deputies, in connection with the mayor and the police, to enforce the payment of licenses, to examine places of business and persons liable to pay licenses, and to see that such licenses are taken out, and that no other business than that described in the license is carried on or transacted by the party and at the place named in the license.

Duties of comptroller, mayor and police.

SEC. 41. Every person engaged in any trade, occupation, or profession for which a license is imposed by this act, shall, at the time of procuring the same, make application to the comptroller, and shall state under oath or affirmation such facts as may be applicable to said license. The comptroller shall then issue to the applicant a certificate stating the particular kind of license for which application has been made, and the amount of money required by law to be paid therefor. Said certificate shall be delivered to the city treasurer, who shall, upon receipt of the sum of money stated therein, give a certificate of payment stating the amount of money paid. Said certificate of payment shall be presented to the comptroller, who thereupon shall issue said license; and on all moneys paid in for licenses said comptroller shall receive a commission of five (5) per cent. on an amount not to exceed eighty thousand (80,000) dollars.

How license obtained.

Perquisites of comptroller.

SEC. 42. The comptroller shall sign, issue, and keep a record of licenses, in books to be prepared for that purpose, as follows:

Records to be kept by comptroller.

*First*—A book to be designated a "License Cash Book," in which entries shall be made under appropriate headings, showing the receipts each day; the names of parties receiving license; their residence or place of business; the number and class of license issued; the amount received for each license, and the period of time for which each license is issued, with reference to the number and page of the ledger (hereinafter provided for) wherein the same is entered.

*Second*—A book to be designated as "License Ledger," in which entries of all moneys received for licenses shall be posted from the cash-book. In said ledger shall be entered, in alphabetical order, under appropriate headings, the names of parties to whom licenses have been issued, their residence, or place of business, the period for which licenses have been

issued, amount received for each license, and the date of payment.

*Third*—He shall also keep such other book or books, as shall, in his judgment, be necessary, and all of the books hereinbefore provided to be kept, shall have such additional entries made in them, respectively, as may be required; and he is hereby authorized to employ such assistants as shall, in his judgment, be necessary to enforce the provisions of this act, who shall be paid, together with all charges for books hereinbefore provided, from the five (5) per cent. allowance by this act to the comptroller from his license collections.

Police to enforce provisions of this act.

SEC. 43. It shall be the duty of all police or other officers clothed with police powers, to enforce the provisions of this act.

SEC. 44. All acts and parts of acts, ordinances and parts of ordinances, conflicting with any of the provisions of this act, be and the same are hereby repealed, as to cities of the first grade of the first-class.

SEC. 45. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 224.]

#### AN ACT

To amend section 5018 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty hundred and eighteen of the revised statutes of Ohio be so amended as to read as follows:

When plaintiff in execution or attachment may be substituted for officer.

Section 5018. In an action against an officer for the recovery of property taken under an execution, or attachment, the court may, upon application of the defendant, or of the party in whose favor the execution, or attachment, issued, permit the latter to be substituted as the defendant in such action, security for costs having been given, or the court may order such substitution to be made on application of the officer.

SEC. 2. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

[House Bill No. 809.]

## AN ACT

To amend sections 2715, 2716, 2721, 2722, 2724 and 2729 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections twenty-seven hundred and fifteen, twenty-seven hundred and sixteen, twenty-seven hundred and twenty-one, twenty-seven hundred and twenty-two and twenty-seven hundred and twenty-nine, chapter three (3), title twelve (12), division nine (9), of the revised statutes of Ohio be so amended as to read as follows :

Section 2715. In cities of the first and third grades of the first class and of the first grade of the second class, there shall be a board, designated as the trustees of the sinking fund, composed of five, citizens thereof, to be appointed, in cities of the first grade of the first class, by the superior court of the city, and in cities of the third grade of the first class, and in cities of the first grade of the second class by the court of common pleas of the county in which said city is situated. Said trustees shall serve without compensation. In cities in which such board has not been organized the first appointments shall be, one for the term of one year, one for two years, one for three years, one for four years, and one for five years; and all trustees thereafter appointed shall serve for five years, except in case of vacancies, which shall be filled by the court for the unexpired time.

Board of trustees for sinking fund in certain cities.

Section 2716. Before any person, appointed as a member of such commission, assumes the duties of his office, he shall give bond, in cities of the first grade of the first class, in the sum of one hundred thousand dollars, and in cities of the third grade of the first class, and in cities of the first grade of the second class in the sum of fifty thousand dollars, with not less than two sureties, faithfully to discharge such duties.

Bond of trustees.

Section 2721. The trustees of the sinking fund shall, in the month of May in each year, or as soon thereafter as possible, certify to the city council the rate of tax necessary to provide a sinking fund for the future payment of the bonds issued by the city, and for the payment of judgments final against the city, except in condemnation of property cases, which rate shall not exceed in any year the sum of one mill; also the amount necessary to be levied to provide for the payment of the interest on all the bonded indebtedness of the city, the rents due on all perpetual leaseholds of the city not payable from special funds, and in cities of the first grade of the first class, such further amount as may be necessary to provide a sinking fund for the final redemption of the Cincinnati Southern Railway bonds; and the city council shall place the several amounts so certified in the tax ordinance before and in preference to any other item, and for the full amount certified.

Report of trustees to council; duty of council.

How funds  
to be in-  
vested.

Section 2722. The trustees of the sinking fund shall invest all moneys received by them in bonds of the United States, state of Ohio, city of Cincinnati, city of Toledo, or city of Columbus; and in cities of the first grade of the first class, they shall give preference to the bonds of said city of Cincinnati, and in cities of the third grade of the first class, they shall give preference to the bonds of said city of Toledo, and in cities of the first grade of the second class, they shall give preference to the bonds of said city of Columbus, when they can be purchased at a price equal to or less than the bonds of the United States, or of the state of Ohio, taking into consideration the rate of interest paid on each; all interest received by them shall be re-invested in like manner; at no time shall there be over ten thousand dollars kept upon deposit, if investment can be made; and in cities of the first grade of the first class, all bonds of the city of Cincinnati, and in cities of the third grade of the first class, all bonds of the city of Toledo, and in cities of the first grade of the second class, all bonds of the city of Columbus, now in possession of the trustees, or those hereafter purchased by them, excepting to the amount of seventy-five thousand dollars, shall have written, stamped, or printed conspicuously in red ink, across the face thereof, the following words: "This bond is canceled," and on each coupon thereof, shall be written, stamped or printed the following words: "Payable only to the order of the trustees of the sinking fund."

How money  
to be drawn  
and depos-  
ited.

Section 2724. Moneys shall only be drawn by check, signed by the president of the board, and attested by the clerk and at least two members of the board; all securities or evidences of debt held by the trustees for the city shall be deposited in the vault of some safety deposit company within such city, or if none exists therein, or it shall be deemed more secure in a vault which shall be especially provided by them in some place of safety; and when so deposited, they shall be drawn only upon the written application of three members, and in the presence of at least two members of the board.

Power with  
respect to  
wharf prop-  
erty, etc.

Section 2729. The trustees, on the approval of the board of public works (city commissioners), in cities of the first grade of the first class, and on the approval of the common council, in cities of the third grade of the first class, and in cities of the first grade of the second class may, on giving not less than ten days' notice by publication in two or more daily papers of general circulation in such city, receive bids for the lease of any wharf property, or other property not used for municipal purposes belonging to the city, on such terms and for such time as they may deem for the best interests of the city, with power to reject any or all bids; and they may, within twenty days succeeding the expiration of such publication, lease any part of such property, at a rate not less than the maximum offered by any bid, without a re-advertisement. The board may also, in order to prevent loss of revenue during such advertisements and negotiations rent such property, from month to month, during such time,

SEC. 2. That the provisions of sections 2717, 2718, 2719, 2720, 2723, 2725, 2727, 2828 and 2729, (a), (b), (c), (d) and (e), chapter three (3), title twelve (12), division nine (9), of the revised statutes of Ohio, relating to cities of the first grade of the first class, are hereby made applicable to cities of the third grade of the first class, and cities of the first grade of the second class; and said original sections 2715, 2716, 2721, 2722, 2724 and 2729 are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 143.]

#### AN ACT

To amend section 7154 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section seventy-one hundred and fifty-four of the revised statutes of Ohio be so amended as to read as follows:

Section 7154. If, upon an examination before any court or magistrate, it appears that a child under the age of sixteen years was, or is, unlawfully engaged or used for or in any business, exhibition, vocation, or purpose, such court or magistrate may commit such child to an orphan asylum, or charitable or other institution, or make such other disposition of it as is authorized by law to be made of vagrant, truant, disorderly pauper, or destitute children; and the court or magistrate in case of conviction of any criminal assault upon any child or children, and in every case of conviction of any person of any criminal offense made so by the laws of the state, or ordinance of any municipality, shall have the same power over any child or children; provided, such conviction shall leave the child or children without maintenance, protection, or education, and provided, the child's or children's welfare will be thereby promoted.

When children under 16 years to be committed to asylums, etc.

SEC. 2. That said original section 7154 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 174.]

## AN ACT

To amend section 3697 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand six hundred and ninety-seven of the revised statutes of Ohio be amended so as to read as follows:

Organization  
of district or  
county agri-  
cultural so-  
cieties.

Section 3697. When thirty or more persons, residents of any county, or district embracing two counties, organize themselves into a society for the improvement of agriculture within such county or district, and adopt a constitution and by-laws, agreeably to the rules and regulations to be furnished by the state board of agriculture, and appoint the usual and proper officers, and the society pays to its treasurer, by voluntary subscription, or by fees imposed upon its members, any sum of money in each year not less than fifty dollars, and the president of the society certifies to the respective county auditors the amount thus paid, attested by the oath of the treasurer before a magistrate, the county auditors embraced within the district in which such society is organized, shall draw an order on the treasurer of the respective counties, in favor of the president and treasurer of the society, for a sum equal to the amount thus raised, not exceeding one cent to each inhabitant of the county, upon the basis of the last previous national census, but not exceeding in any county the sum of four hundred dollars, and the treasurer of the county shall pay the same.

SEC. 2. Said original section is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 286.]

## AN ACT

Supplementary to chapter eleven, title three, part third of the revised statutes of Ohio, and to provide for the disposition of property abandoned, stolen or supposed to have been stolen.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to chapter eleven, title three, part third of the revised statutes of Ohio, with sectional numbering as herein contained:

Abandoned  
or stolen  
property;  
how dis-  
posed of.

Section 6647a. That whenever any property abandoned, stolen or supposed to have been stolen, shall come into the possession of any sheriff, constable or other person, except a policeman or city marshal, and shall remain in the pos-

session of said officer or person for a period of thirty days without being reclaimed by the owner, said property, if an animal, shall be disposed of as provided in said chapter in regard to estrays; if other than an animal, it shall be disposed of as provided in said chapter in regard to drifts.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 855.]

#### AN ACT

To fix the par value of shares of stock of Cincinnati, Wheeling and New York Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the number of shares of the Cincinnati, Wheeling and New York Railroad Company, each of which shares now represents fifty dollars (\$50) of the par value of the stock of said company, be reduced to one-half of the present number, and that the stock of said company shall hereafter be represented by shares of one hundred dollars (\$100) each of par value. Value of shares.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[House Bill No. 799.]

#### AN ACT

To provide for the construction and repair of sewers in cities of the second grade of the first class.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when it becomes necessary, in the opinion of the council of such cities, to provide a system of sewerage and drainage for such municipal corporations, or any part thereof, it shall be the duty of the board of improvements to devise and form, or cause to be devised and formed, a plan of sewerage and drainage for the whole city, or such part Board of improvement in certain cities to devise plan of sewerage.

thereof as may be designated by the council ; but in all such cities the council may, by ordinance, declare that the construction, maintenance and cleaning of the sewers shall be under the care of a board to be called the commissioners of sewers.

Powers of commissioners of sewers.

SEC. 2. The commissioners of sewers shall have all the powers, and perform all the duties required of the board of improvements, as provided in this act.

How commissioners, appointed and term.

SEC. 3. The board of commissioners of sewers shall consist of five members, to be appointed by the mayor, subject to the confirmation of the council, one of which shall be appointed for one year, one for two years, one for three years, one for four years, and one for five years, and thereafter one shall be appointed each year, to serve for a term of five years, and they shall serve without compensation.

Board to appoint engineer, etc.

SEC. 4. In cities having a board of commissioners of sewers, the board shall appoint an engineer, who shall be under the direction of the board, and perform all the duties provided for the city engineer in this act ; the board may appoint such other employes as it may deem necessary ; and the compensation of the engineer shall be fixed by the council.

Council to divide city into districts.

SEC. 5. The plan so devised shall, in the discretion of the council, be formed with a view of the division of the corporation into as many sewer districts as may be deemed necessary for securing efficient drainage and sewerage ; each of the districts shall be designated by name and number, and consist of one or more main or principal sewers with the necessary branches and connections, the main or principal sewers having their outlet in a river or other proper place ; and the districts shall be so arranged as to be independent of each other, so far as practicable.

Main sewers, how constructed, and cost.

SEC. 6. The council may, in its opinion expedient, provide for the construction of main sewers (which designation shall include trunk or intercepting sewers, so-called), without regard to sewer districts, and shall apportion the cost and expense thereof equitably among the districts, directly or indirectly, sewered in whole or in part thereby, and shall assess and collect the amount apportioned to each district in the manner prescribed in this act for the assessment and collection of the cost and expense of constructing main sewers in sewer districts.

Certain improvements to be designated.

SEC. 7. After said plan has been prepared and adopted by the board of improvements, or board of commissioners of sewers, as the case may be, it shall be their duty to designate such portions of the work as may be required for immediate use ; and when the corporation is divided into districts, the designation shall be by districts, and shall show what district, or part thereof, is to be improved.

Plans and specifications.

SEC. 8. Such boards shall have plans and specifications prepared for the construction of the proposed main sewers, in the work thus designated, showing the size, location, and inclination thereof, and the depth of the same below the surface.



SEC. 9. When plans and specifications for such main sewers have been prepared, the board of improvements, or the board of commissioners of sewers, shall give at least ten days' notice, in one or more newspapers in general circulation in the corporation, and by twenty-five notices posted in convenient places within the district, stating that such plans have been prepared, and are filed in the office of the board for examination and inspection by parties interested, by which notice the board shall designate the portions of the work proposed to be done, and, where the main sewer districts are provided for, the boundaries thereof.

Board to give notice that plans have been filed.

SEC. 10. At the time specified in the notice, or at an adjourned meeting, the board shall hear the parties interested, and may, if it sees proper, amend or correct the plans; and it shall thereupon file the plans as amended; or, if no amendment be made, then the original plans, duly certified by it, in the office of the civil engineer of the corporation.

Plans may be amended or corrected.

SEC. 11. After the plan of sewerage for the corporation, or any part thereof, has been approved by the board, and filed in the manner above provided, the council may direct the engineer of the corporation, or sewerage engineer, as the case may be, to make an estimate of the cost and expenses of constructing the work according to such plan, and report to the council what portion of the same will be required for main sewerage, and what portion for local sewerage, for any lots and lands to which any portion of such main sewer may serve as local sewer.

Engineer to make estimate of cost and report to council.

SEC. 12. The council, on recommendation of the board, shall cause such sewer or sewers, specified in the plan, as may be designated by the board, to be constructed; and the ordinance shall specify the street, lane, alley, highway, market place, public landings or commons, or parts thereof, to be seweraged or drained, in such manner that an examination or survey will show what lot or lots of land bound or abut on the same; and the council, upon the passage of such ordinance, shall cause a plat to be made, and filed in the office of the clerk of the corporation, showing the lots so bounding or abutting, and the number of the feet front of each lot.

Sewers to be constructed.

Ordinance shall specify what street, etc., to be drained.

SEC. 13. The council shall provide for assessing such portion of the cost and expenses of constructing main sewers, as it shall determine to be a proper charge, for the local sewerage and drainage furnished by such main sewers upon the lots and lands bounding or abutting on the streets, lanes, alleys, highways, market spaces, public landings, commons or other public grounds, in or along which the same shall pass, by the feet front, or according to the valuation of the same on the tax list, or according to the benefits, as it shall determine.

Council shall assess cost of main sewer according to valuation or benefits.

SEC. 14. The assessment shall not exceed the sum that would, in the opinion of the council, be required to construct a local sewer of sufficient capacity to drain and sewer such lots or lands, nor shall any lots or lands be assessed that do

How properly assessed.

not need local drainage or sewerage, or which are then provided therewith, and the excess of the cost of the main sewers, over the assessment herein authorized, shall be paid out of the sewer fund of the sewer district in which the same are constructed, when the corporation is divided into sewer districts; otherwise out of the sewer fund of the corporation.

What property may be exempt.

SEC. 15. The council may exempt from assessment such portion of the frontage of any lot, having a greater frontage than its average depth, and so much of any frontage of corner lots as to it may seem equitable; but in so doing it shall specially set forth, in the ordinance making such assessment each lot so exempted, which ordinance, when passed, shall be binding upon the parties interested.

Maximum assessment per foot front.

SEC. 16. In no case shall the assessment exceed the sum of two dollars per foot front on the property assessed, and the excess shall be paid out of the sewer fund of the sewer district in which the sewer is constructed when the corporation is divided into sewer districts; otherwise out of the sewer fund of the corporation.

Assessments according to benefits; how made.

SEC. 17. If the assessment be according to benefits, the council shall appoint three judicious freeholders of the corporation, or its vicinity, who shall assess the said portion of the cost and expense of constructing main sewers, which the council has determined to be a proper charge for the local sewerage and drainage furnished by the same, upon the lots and lands along which the same passes, in proportion, as nearly as may be, to the benefits which may result to each lot or parcel of land.

Duties of assessors.

SEC. 18. The assessors shall make a report in writing specifying the amount assessed by them upon each lot or parcel of land, separately, and file the same with the clerk of the corporation within such time as the council may direct.

Council to give notice of assessment and final action.

SEC. 19. After the report is filed, the council shall cause not less than ten days' notice to be given, in some newspaper of general circulation in the corporation and by twenty-five notices posted in convenient places within the district, setting forth the object of said assessment, and that the same will come before the council for confirmation at the time to be specified in the notice.

Objections to be filed with the clerk.

SEC. 20. Objections to the assessment shall be in writing, and filed with the clerk within two weeks after the expiration of the notice; and persons objecting may be heard before the council at the time specified in the notice.

Council may set aside or confirm assessments.

SEC. 21. The council may set aside the assessment on its own motion, or may, after hearing objections, confirm the same, or set them aside.

Proceedings when assessment is set aside.

SEC. 22. If the council set aside the first, or any other assessment, it may appoint other assessors, possessing the same qualifications, as hereinbefore provided, and cause new assessments to be made; and the proceedings shall be the same as are provided for in the first assessment.

SEC. 23. In confirming any assessment, the council may correct errors in the description of any lots or lands made by the assessor. Council may correct error.

SEC. 24. After making an assessment, either according to feet front, valuation or benefits, the council may order the same, or any part thereof, to be certified to the auditor of the county in which the corporation is situated, who shall place the same on the tax list, and it shall be collected as other taxes. May order assessments certified to auditor.

SEC. 25. All assessments made under the provisions of this sub-division shall be liens on the lots or lands assessed; they shall be transferable, and may be collected against the owners, personally, or by enforcement of the lien upon the property subject thereto; and proceedings for the recovery of assessments, or the enforcement of the lien, shall be as directed in chapter four, division seven, title twelve, of the revised statutes relating to assessments. Assessments to be liens.

SEC. 26. When a sewer district is set off or established, the main sewer of which is a continuation of, or drain through, or into (either temporarily or permanently), the main sewer of any other district, the council, in providing for assessing the cost and expense of the main sewer, in such new sewer district, may provide for assessing upon the taxable property therein such proportion as they shall determine to be just, of the cost and expense of constructing the main sewer in the district through which the new main sewer drains, which sum, as collected, shall be paid into the sewer fund of such district. How assessments made in new sewer districts.

SEC. 27. The council may provide for the construction of branch or local sewers within any street or other public ground within the corporation, wherein a main sewer is not established or built, which local sewers shall connect with a main sewer convenient thereto, as the council may direct; and if the corporation is laid off into districts, the connection shall be with a main in the district wherein the local sewers are constructed, when practicable; but when a local sewer is connected with a main sewer in another district, the council may assess upon the lots and lands which may lawfully be assessed for the construction of such local sewer, such sums as would be an equitable and proper charge for the use of the main sewer; and when collected it shall be paid into the sewer fund of the district in which such main sewer is located. No sewer shall be considered local, except such as are intended for and used exclusively for the drainage and sewerage of lots abutting thereon, and all others shall be deemed main sewers. Local sewers; how constructed; assessments therefor.

SEC. 28. Proceedings for the establishment and construction of local sewers, as provided in the preceding section, shall be as directed in the previous sections of this act, regulating the establishment and construction of main sewers; and the assessment and collection of the cost and expense thereof shall be in accordance with the provisions regulating Proceedings for.

the assessment and collection of the portion of the cost and expense of constructing main sewers, determined by the council to be a proper charge for the local sewerage and drainage furnished by main sewers.

When lands sub-divided original assessments to be apportioned.

SEC. 29. If any division or sub-division of lots or lands assessed for sewerage purposes occur after the first assessment has been made and confirmed, the council may require the assessors hereinbefore mentioned, or such other assessors as it may select, to apportion the original amount assessed upon the several parts of lots or lands so divided, whose report, when confirmed by the council, shall be conclusive upon all parties; and all assessments thereafter made upon said lots or lands shall be according to such division and collected in the same manner as upon the original assessment.

Council may provide for house connections.

SEC. 30. The council, upon the recommendation of the board, may provide for the construction of proper house connections and branches leading into all main or local sewers, and for the assessment of the cost and expense thereof upon the lots or parcels of land for the accommodation of which such connections and branches may be constructed; but in no case, except as a sanitary measure, shall the council require such house connections to be built further from the sewer than to the inner line of the curbstone of the street or highway in which the same are constructed.

Cost; how assessed.

SEC. 31. When an improvement provided for in the preceding section has been made, and the assessment therefor has not previously been ordered, the council shall pass an ordinance assessing the cost thereof upon the lots or parcels of ground for the accommodation of which such improvement was made; and by such ordinance it shall be declared within what time the assessment shall be paid into the treasury.

May tap sewers to drain premises.

SEC. 32. Parties owning property abutting on a street or public highway, in or through which a public sewer or drain is constructed, shall have the privilege of tapping and using such sewer or drain for the purpose of draining their premises, under such rules and regulations as may be prescribed by the board; and the council may, by ordinance, require persons contracting to build such house connections to procure a license from the board, and may charge therefor such sum as may be deemed just, and for a violation of the provisions of this section shall impose a proper penalty.

Council may construct ditches.

SEC. 33. The council of any such city shall also have power to provide for the construction of ditches for necessary drainage within the corporation, under the restrictions and regulations, so far as applicable, contained in this act.

May repair sewer, ditch, or drain.

SEC. 34. The council may, whenever it is deemed necessary, provide for the repair or reconstruction of any sewer, ditch or drain; and the proceedings for that purpose shall be the same, so far as applicable, as are herein required for the original construction thereof.

SEC. 35. In such city in which a system or plan of drainage has been adopted by competent municipal authority, and completed, any private owner or occupant of real estate contiguous to any part of such system or plan, who reasonably provides for carrying off all the surface or accumulated water upon such real estate into the completed system or plan, and maintains in proper order the means so provided, shall not be liable, while he keeps up and maintains such means of drainage, to an action by a neighboring owner or occupant of real estate, for water that may flow against, upon, or over his real estate, or injure the same, or the property thereon, after the same has been discharged into such system or plan of drainage.

When owner of real estate not liable for damage to adjacent property.

SEC. 36. The council of any such city shall have power to borrow money at a rate of interest not exceeding six per centum per annum for sewerage purposes, and to issue the bonds of the corporation therefor in the manner and form provided in chapter two, division nine, title twelve, of the revised statutes, so far as the same may be applicable.

May issue bonds.

SEC. 37. That this act shall be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

[Senate Bill No. 197.]

#### AN ACT

Providing for the better protection and care of the state house and grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the protection of the state house and the offices therein, and to prevent improper conduct and trespassing in and about the building and grounds, the governor shall appoint and commission one day policeman and one night policeman; and to provide for attention to strangers visiting the capitol, he shall appoint a visitors' attendant, who shall also take proper care of the building and premises in the absence of the day policeman. The persons so appointed shall take an oath of office and wear a proper uniform and badge of office, and shall have the same authority to make arrests as is or may be vested in the police of cities, and all persons arrested by them shall be delivered to the police authorities of the city of Columbus, and dealt with by said authorities in the same manner as persons arrested by the police of said city. The persons so appointed may be removed by the governor for sufficient cause; and their hours

Governor to appoint policemen and visitors' attendant for State house.

Duties of.

of service shall be so arranged that at no time shall the building and grounds be without police protection.

SEC. 2. The day policeman and visitors' attendant shall each receive an annual salary of seven hundred and twenty dollars, and the night policeman shall receive an annual salary of eight hundred dollars.

SEC. 3. This act shall take effect upon its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

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[House Bill No. 878.]

### AN ACT

To authorize city councils of cities of the first grade of the second class to issue bonds for the purpose of constructing, improving and repairing levees for the prevention of overflows.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class be and they are hereby authorized and empowered, for the purpose of constructing, improving and repairing levees or embankments upon the banks of rivers or streams running through or by such cities, so as to protect the property of the citizens thereof from overflow of such rivers or streams, to issue from time to time, the bonds of such city for any sum not exceeding in the aggregate ten thousand dollars (\$10,000).

Certain cities authorized to issue bonds for constructing and repairing levees, etc.

SEC. 2. Such bonds shall run for such length of time, not exceeding twenty years, and shall bear such rate of interest not exceeding six (6) per centum per annum, and such interest shall be payable annually or semi-annually, as such council may determine. Such bonds shall be designated, issued, and sold in all respects in manner as is or may be provided by law for the designation, issuing and sale of bonds of municipal corporations, and the proceeds of all sales thereof shall be applied exclusively to the purpose for which they are issued.

Form of bonds and sale of same.

Levy for payment of.

SEC. 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act, as they mature respectively, the city council of such city is hereby authorized and empowered to levy and collect for each year, such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not exceeding three-tenths (3-10) of one mill, as the council may determine, additional in rate and

amount to the aggregate rate and the aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 239.]

### AN ACT

To provide for an additional salary to be paid to the judges of the court of common pleas residing in Franklin county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section 1292 of the revised statutes of Ohio, with sectional numbering as therein contained:

Section 1292*b*. The county commissioners of Franklin county, Ohio, may, and they are hereby authorized to pay the judges of the court of common pleas residing in Franklin county, who shall have held such office for ten years continuously when elected, each in addition to the salary now paid said judges out of the state treasury and so long as said judges shall continue to reside in said county, an amount out of the treasury of Franklin county of not less than the sum of one thousand dollars nor more than the sum of fifteen hundred dollars annually, to be fixed by said commissioners of said county for each judge after the election of, but before the commencement of the term of office of such judge. And when such salary is once fixed, it shall not be increased or diminished during the said term of office of such judge, the same to be paid at the same time and in like manner as provided by law for the payment of the salary of judges out of the state treasury; provided, this section shall not apply to the present existing term of judges in office and residing in said county.

Commissioners of Franklin county may allow additional salary to certain judges.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

[House Bill No. 773.]

## AN ACT

Making appropriations for the benevolent, penal and correctory institutions of the state for the last three quarters of the fiscal year ending November 15, 1883, and the first quarter of the fiscal year ending February 15, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, the following sums for the purposes herein named, to wit:

*Athens Asylum for the Insane :*

For current expenses, eighty thousand dollars (\$80,000).  
 For ordinary repairs, three thousand five hundred dollars (\$3,500).  
 For salaries of officers, four thousand one hundred dollars (\$4,100).  
 For expenses of trustees, two hundred dollars (\$200).  
 For grading and fencing, one thousand dollars (\$1,000).  
 For library, two hundred dollars (\$200).  
 For covering hot water pipes, four hundred dollars (\$400).  
 For painting walls in wards, one thousand dollars (\$1,000).  
 For improving basement, one thousand dollars (\$1,000).  
 For corn-cribs and wagon sheds, four hundred dollars (\$400).  
 For carpets and furniture for wards, one thousand dollars (\$1,000).  
 For improving water supply, one thousand dollars (\$1,000).  
 For the purchase of land at a cost not to exceed fifty dollars an acre, twelve hundred dollars (\$1,200).

*Cleveland Asylum for the Insane :*

For current expenses, eighty-three thousand dollars (\$83,000).  
 For ordinary repairs, three thousand five hundred dollars (\$3,500).  
 For salaries of officers, four thousand and ninety-nine dollars and seventy-six cents (\$4,099.76).  
 For library, two hundred dollars (\$200).  
 For improving and increasing water supply, eight hundred dollars (\$800).  
 For re-setting and repairing boilers, fifteen hundred dollars (\$1,500).  
 For painting walls in wards, one thousand dollars (\$1,000).  
 For carpets and furniture for wards, one thousand dollars (\$1,000).  
 For horses, four hundred dollars (\$400).



*Columbus Asylum for the Insane:*

For current expenses, one hundred and thirty-eight thousand two hundred and sixty dollars (\$138,260).

For ordinary repairs, five thousand five hundred dollars (\$5,500).

For salaries of officers, forty-seven hundred and ninety-nine dollars and ninety-two cents (\$4,799.92).

For expenses of trustees, thirty-six dollars and ten cents (\$36.10).

For grading, two thousand dollars (\$2,000).

For repairing boilers, twelve hundred dollars (\$1,200).

For painting walls in wards, two thousand dollars (\$2,000).

For library, three hundred dollars (\$300).

For furniture and carpets for wards, one thousand five hundred dollars (\$1,500).

For heating strong rooms, one thousand dollars (\$1,000).

For fencing, one thousand dollars (\$1,000).

*Dayton Asylum for the Insane:*

For current expenses, seventy-seven thousand seven hundred and twenty-five dollars (\$77,725).

For ordinary repairs, four thousand dollars (\$4,000).

For salary of officers, three thousand and seventy-nine dollars and fourteen cents (\$3,079.14).

For expenses of trustees, one hundred dollars (\$100).

For heating and gas fixtures, for new extension and extra work caused by the extension, two thousand eight hundred and fifty-three dollars (\$2,853).

For carpets and furniture for the new extension, two thousand dollars (\$2,000).

For carpets and furniture for wards, one thousand dollars (\$1,000).

For steam mangel and laundry stoves, four hundred dollars (\$400).

For slaughter house, three hundred and fifty dollars (\$350).

For completing new steam mains, twenty-two hundred dollars (\$2,200).

For horses, four hundred dollars (\$400).

For library, two hundred dollars (\$200).

For fencing, five hundred dollars (\$500).

For carpenter and repair shops, one thousand dollars (\$1,000).

For spring house, five hundred dollars (\$500).

For new cistern and connection, eleven hundred dollars (\$1,100).

*Longview Asylum for the Insane.*

A sum to be ascertained by the auditor of state, which shall bear the same proportion to the appropriations for other asylums of the state for the insane as the population of Hamilton county bears to the population of the state, exclusive of Hamilton county, as appears by the federal

census of 1880, less thirty thousand dollars appropriated as a partial appropriation this session; add to the sum thus ascertained the sum of ten thousand dollars (\$10,000); provided, however, that if any appropriation be made for building a new asylum or any addition or annexes to any of the present insane asylums, no portion of the ten thousand dollars shall be allowed; provided, that there shall be no discrimination in the expenditure of the sum herein appropriated between white and colored patients.

For care of colored insane outside of Hamilton county, now in Longview asylum as per contract, thirteen hundred and fifty-seven dollars and sixteen cents (\$1,357.16).

*Lucas County Asylum for the Insane :*

For care and cure of the insane as per contract with the state, fourteen thousand two hundred and ninety-four dollars (\$14,294).

No part of the above appropriation shall be used for the maintenance of any inmates from any county in excess of the quota of such county, and at each settlement with the auditor of state they will be required to give the name of each inmate, and where from.

*Toledo House of Refuge :*

For the maintenance of an average number of boys, not exceeding one hundred and fifty, at two dollars and fifty cents per capita per week, from the fifteenth day of February, 1883, to April 1, 1883 (at which time the contract with the state terminates), the sum of four hundred and ten dollars and fifty cents (\$410.50).

For maintenance of an average number of boys not exceeding one hundred and sixty, at two dollars and fifty cents per capita per week, from the first day of April, 1883, to the fifteenth day of February, 1884, the sum of eighteen thousand three hundred and forty-two dollars and eighty-six cents (\$18,342.86).

*Asylum for the Deaf and Dumb :*

For current expenses, including supplies for school-rooms and shoe-shop, thirty-one thousand dollars (\$31,000).

For salaries of officers teachers and matrons, fourteen thousand six hundred and thirty-five dollars and fifty cents (\$14,635.50).

For ordinary repairs, two thousand five hundred dollars (\$2,500).

For inside painting, six hundred dollars (\$600).

For furniture, repairing dining-room, kitchen and school-rooms, two thousand dollars (\$2,000).

For carpets, three hundred dollars (\$300).

For one horse, one hundred and eighty dollars (\$180).

For expense of trustees, two hundred dollars (\$200).

For tools for carpenter-shop, two hundred dollars (\$200).

For refrigerator, three hundred dollars (\$300).

For lumber and nails for manufacturing of boxes, six hundred dollars (\$600), the same to be used by the state departments.

For printing department, one thousand dollars (\$1,000).

For repairing pavements, one hundred dollars (\$100).

For hose-reel, four hundred dollars (\$400), and for water-proof suits, one hundred dollars (\$100).

For new steam heating and ventilating apparatus, fifteen thousand dollars (\$15,000), the same to be complete in every respect; and in addition thereto, the contractor or contractors will be required to bid on all materials of the old steam heating apparatus, and all receipts therefor shall be appropriated for the new steam heating.

The trustees shall be governed by the same provisions of the revised statutes regulating the construction of public buildings of the state.

*Asylum for the Blind:*

For current expenses, six thousand one hundred dollars (\$6,100).

For salaries of officers and teachers, six thousand dollars (\$6,000).

For ordinary repairs, one thousand dollars (\$1,000).

For expenses of trustees, three hundred dollars (\$300).

For furniture, bedding and carpets, one thousand dollars (\$1,000).

For repairing chapel, four hundred and fifty dollars (\$450).

For steam pipes and changing heating apparatus, one thousand dollars (\$1,000).

For painting, fifteen hundred dollars (\$1,500).

For books, school apparatus and musical instruments, twelve hundred dollars (\$1,200).

For repairing walks, one hundred dollars (\$100).

*Asylum for Imbecile Youth:*

For current expenses and rent of land, sixty-five thousand dollars (\$65,000).

For salaries of officers and teachers, twelve thousand three hundred and ten dollars and ninety-six cents (\$12,310.96).

For ordinary repairs, seven thousand five hundred dollars (\$7,500).

For expenses of trustees, five hundred and fifty dollars (\$550).

For furniture, carpets, kitchen utensils and bedding, fifteen thousand dollars (\$15,000).

For steam heating for main building, including making all connections with boilers and wings, so that the same may be complete in every respect, eight thousand dollars (\$8,000).

For gas fixtures, fifteen hundred dollars (\$1,500).

For fire-proof doors and shutters, twenty-five hundred dollars (\$2,500).

For 1350 lineal feet fire escapes, seven thousand nine hundred and fifty-two dollars (\$7,952).

For hose-reels, one hundred and fifty dollars (\$150).

For alteration and completion, of the attic in the main building now in process of construction, seven thousand dollars (\$7,000); Provided however, that no changes from the original plan shall be made, until the same has been submitted to the attorney-general, governor, and auditor of state, for their approval, as to whether, in making such change, it would vitiate the present contract; if so, in their judgment, then no change shall be made from the present contract.

*Ohio Penitentiary :*

For current expenses, ninety thousand dollars (\$90,000).

For salaries of guards, forty-eight thousand eight hundred and ninety-six dollars and twenty-four cents (\$48,896.24).

For salaries of officers, ten thousand six hundred and ninety-nine dollars and ninety-six cents (\$10,699.96).

For salaries and expenses of directors, seventeen hundred dollars (\$1,700).

For manufacture of gas, eight thousand dollars (\$8,000).

For books, one thousand dollars (\$1,000).

For rewards to convicts, five thousand dollars (\$5,000).

For ordinary repairs, ten thousand dollars (\$10,000).

For new work-shop, eight thousand eight hundred and thirty-one dollars (\$8,831).

For prosecution and transportation of convicts, as per sections 759, 761 and 7334-7337, inclusive, R. S., ninety thousand dollars (\$90,000).

For six-inch gas main from the state house to the deaf and dumb asylum, four thousand dollars (\$4,000).

*Soldiers' and Sailors' Orphans' Home :*

For current expenses, seventy-three thousand dollars (\$73,000); of which one thousand and fifty dollars may be used to purchase furniture and carpets and to lay hard wood floors.

For salaries of officers, teachers and matrons, twelve thousand seven hundred and twenty dollars (\$12,720).

For industrial pursuits, three thousand five hundred dollars (\$3,500).

For ordinary repairs, twenty-five hundred dollars (\$2,500).

For library, one hundred dollars (\$100).

For expenses of trustees, two hundred dollars (\$200).

For payment of net earnings, under section 680 of the revised statutes, one thousand dollars (\$1,000).

For improvements, eighteen hundred dollars (\$1,800).

For improving water supply, one thousand dollars (\$1,000).

For corn-crib and wagon-shed, three hundred dollars (\$300).

For maps and apparatus for schools, one hundred dollars (\$100).

For cows, three hundred dollars (\$300).

For purchase of gravestones, three hundred and nineteen dollars (\$319).

For support of orphans outside of the sailors' and soldiers' orphans' home, ten thousand dollars (\$10,000).

No transfer of children or new contracts for the support of orphans outside of the home shall be entered into by the board of trustees of the soldiers' and sailors' orphans' home with the trustees of any county children's home for the year ending February 15, 1884.

For the purchase of horses, two hundred dollars (\$200). And the sum of three hundred dollars appropriated for horses April 19, 1881, be and the same is hereby re-appropriated.

*Girls' Industrial Home :*

For current expenses, including farming implements and rent of pasture, seventeen thousand five hundred dollars (\$17,500).

For salaries of officers, teachers, matrons and employes, twelve thousand and thirty dollars (\$12,030).

For expenses of trustees, four hundred dollars (\$400).

For library, two hundred dollars (\$200).

For furniture and carpets for cottages, six hundred dollars (\$600).

For ordinary repairs, fifteen hundred dollars (\$1,500).

For repairing buildings for employes, cow-barn and fences, eight hundred dollars (\$800).

For the purchase of cows, two hundred dollars (\$200).

For one carriage and one mail wagon, five hundred dollars (\$500).

For expenses of visiting committee as per section 766, R. S., one hundred dollars (\$100).

For sewing and knitting machines, one hundred and fifty dollars (\$150).

For telephone, one hundred dollars (\$100).

For ranges and laundry stoves, five hundred dollars (\$500).

For change of steam heating and new water system, including water tower, twenty-four thousand dollars (\$24,000).

*Reform Farm for Boys :*

For current expenses, seventeen thousand five hundred dollars (\$17,500).

For salaries of officers, teachers and employes, sixteen thousand five hundred dollars (\$16,500).

For expenses of trustees, five hundred dollars (\$500).

For ordinary repairs, including repairing chapel, twenty-five hundred dollars (\$2,500).

For library, two hundred dollars (\$200).

For graveling roads, fifteen hundred dollars (\$1,500).

For closets and sewerage, twenty-five hundred dollars (\$2,500).

For cellar under dining-room at Ohio building, two hundred and fifty dollars (\$250).

For awards to boys, five hundred dollars (\$500).

For stone floor and enlargement of kitchen, five hundred dollars (\$500).

For furniture for boys' dining-room, five hundred dollars (\$500).

For furnishing rooms in laundry, one hundred and fifty dollars (\$150), and in addition thereto that the balance of one hundred and sixty-three dollars and eighty-three cents (\$163.83), appropriated for laundry building, be transferred to furnishing rooms in laundry.

*Board of State Charities :*

For expenses of board, two thousand five hundred dollars (\$2,500).

For extra clerical labor, one thousand dollars (\$1,000).

The sum of five hundred dollars, appropriated April 19, 1881, for expenses of investigation under section 656, R. S., be and the same is hereby re appropriated.

*Ohio State University :*

For expenses of trustees, three hundred and fifty dollars (\$350).

For ordinary repairs, fifteen hundred dollars (\$1,500).

For steam heating apparatus, and completing laboratory building, five thousand dollars (\$5,000).

For finishing office in laboratory building, for the meteorological bureau, two hundred dollars (\$200).

For horticultural and agricultural hall complete, fifteen thousand dollars (\$15,000). The trustees to be governed by the same provisions of the revised statutes regulating the construction of public buildings of the state.

For meteorological bureau, two thousand dollars (\$2,000).

For agricultural experiment station, five thousand dollars (\$5,000).

*Ohio University :*

For completing and furnishing buildings and fencing, ten thousand dollars (\$10,000).

SEC. 2. In addition to the several appropriations made for the insane, blind, deaf and dumb and imbecile asylums, and the girls' industrial home, there is hereby appropriated any amount of money received from sources outside of the state treasury by the financial officer of said institution in this section, and the same shall be credited to the current expense account.

SEC. 3. The superintendent and steward of the several institutions shall be allowed their necessary traveling expenses while transacting the business pertaining to their respective institutions, not exceeding, however, one hundred dollars to each institution, the same to be paid out of the current expense fund.

SEC. 4. No moneys appropriated in the foregoing section shall be used for the payments of debts or deficiencies existing prior to the fifteenth of February, 1883, nor used for any other purpose than the specific purpose for which the same is appropriated; and no portion of any appropriation for

furniture, shall be used to buy a piano; nor shall any portion of the fund appropriated for current expenses be used for the purchase of carpets, furniture, pianos, carriages or horses; and it is made the duty of the auditor of state to see that the foregoing provisions are complied with.

*Miscellaneous :*

SEC. 5. For carpets and furniture, and repairs for the insurance department, two hundred dollars (\$200).

For official expenses of the commissioner of railroads and telegraphs outside of office, five hundred dollars (\$500).

For payment of Ohio National Guards under the call of the mayor of Cincinnati, four thousand five hundred and ten dollars and fifty cents (\$4,510.50).

For purchase of over-coats for Ohio National Guard, twenty-five hundred dollars (\$2,500).

For military claims filed against the state under act of the general assembly, passed April 19, 1881, fifteen hundred and twenty-four dollars and seventy-three cents (\$1,524.73).

For compensation and expenses of mining commission, two thousand six hundred dollars (\$2,600).

For compensation and expenses of clerk of mining commission, eight hundred dollars (\$800).

For incidentals of mining commission, three hundred dollars (\$300).

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

[Senate Bill No. 368.]

AN ACT

To authorize cities of the second grade of the first class to construct elevated roadways, and to issue bonds to pay the cost thereof.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second grade of the first class shall have power and are hereby authorized to construct or cause to be constructed elevated roadways or bridges over any valley, ravine, river or water-course within its corporate limits, of such material and design as may, in the opinion of the council of such city, be most expedient. Such city may acquire by contract, or, at the option of its

Certain cities may construct elevated roadways or bridges.

May contract for or appropriate real estate necessary.

Council to declare necessity of such roadway.

Two thirds necessary.

How cost to be paid.

Bonds;  
\$1,000,000  
authorized.

Description thereof.

council, may appropriate, enter upon and hold such real estate as may be desired or needed for right of way for such elevated roadway or bridge, and for such purpose may enter upon and occupy any public highway as a route therefor, not interfering, however, with the substantial use or easement of the road-bed of such highway for the purposes of public travel and carriage.

SEC. 2. When it shall be deemed expedient by the council of such city to construct any such roadway as is authorized in section 1 of this act, they shall by resolution declare the necessity thereof, which resolution shall briefly describe the location and character of the proposed structure or improvement and the estimated cost of the same, and shall require for its adoption a vote of two-thirds of all the members elected to the council, and shall be published as is provided for the publication of ordinances of such city.

SEC. 3. For the purpose of providing the means for paying the cost and expense of constructing any such elevated roadway or bridge authorized by this act, and the cost of any lands or easements purchased or appropriated for right of way for such structure and for any damage done to private property by doing any work herein authorized, and all other expenses connected therewith, the council of such city of the second grade of the first class shall have the power and are hereby authorized to issue its bonds for any amount not exceeding ten hundred thousand dollars, which bonds may be made payable at any time not to exceed thirty years from the issue thereof, and draw such rate of interest as the council may deem proper, not exceeding five per cent. per annum, payable semi-annually. Said bonds may be issued at such time or times and in such amount or amounts as the progress of the work and the convenience of the city may require, and shall have written or printed upon them the date of the law under which they were issued, and the words "Elevated roadway bonds", and shall not be sold or negotiated for less than par, and their proceeds shall not be applied to any other purpose than the payment of the cost and expense of the work and improvement hereinbefore provided for.

SEC. 4. This act shall be in force and take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 17, 1883.



[House Bill No. 889.]

## AN ACT

To authorize the city council of cities of the second grade of the first class to issue bonds for street and viaduct purposes.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second grade of the first class, for the purpose of building or constructing a street and viaduct, or bridge, over any valley, river or water-course within the limits of the corporation, are hereby authorized to issue, from time to time, the bonds of the city for any sum not to exceed two hundred and fifty thousand dollars (\$250,000) in the aggregate, running such length of time, not exceeding twenty-five years, as the council may determine, and bearing a rate of interest not exceeding six per cent. per annum.

Certain cities may issue bonds for building viaduct, etc.

SEC. 2. That said bonds shall be designated "Kingsbury bridge bonds", and shall be sold according to law, and the proceeds shall be applied exclusively to the above purposes.

Bonds; how designated.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 128.]

## AN ACT

To amend section seven thousand four hundred and thirty-three (7433) of the revised statutes of Ohio, and section seven thousand four hundred and twenty-seven (7427), as amended March 31, 1881. (Ohio Laws, vol. 78, page 90.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said sections be amended so as to read as follows: Section 7427. In the treatment of prisoners, the following general rules shall be observed:

1. Each convict, when received at the penitentiary, shall be washed and cleansed, and shall remain in separate lodgings until it is certified by the physician that he may be safely admitted among the other prisoners; the clothes which a convict wears on his arrival at the penitentiary, shall either be burnt or carefully fumigated and put away, at the discretion of the warden, and if they are preserved, they shall be restored to the owner at the expiration of the term of his confinement.

Rules for treatment prisoners.

Food and clothing for prisoners.

2. Each convict shall be provided with a bed of straw or other suitable material, and sufficient covering, with garments of coarse materials suited for the different seasons of the year, and with wholesome and nutritious food of such variety as may be most conducive to health.

Solitary confinement.

3. If the prisoner is sentenced to solitary confinement, the sentence shall be executed subject to the right of the board to modify it, so far as may be necessary to prevent any serious injury to health, and no unnecessary labor shall be required of any convict on Sunday.

How punishment inflicted.

4. No punishment shall be inflicted, except by the order and under the direction of the warden or deputy-warden, and it shall be unlawful to use any cruel or unusual mode of punishment.

Money of prisoner; how disposed of.

5. All money in possession of a prisoner, when delivered at the penitentiary, shall be properly entered upon the clerk's books, and receipted for upon the commitment, by the warden, in the presence of the prisoner, and also all money paid to the prisoner during his confinement shall be entered upon the clerk's books; all of which money so received of such prisoner, if not otherwise disposed of by the prisoner, shall be returned to him when discharged.

Rules to be hung up.

6. The rules and regulations prescribing the duties and obligations of the prisoner, shall be printed and hung up in each cell and shop.

Clothing and transportation for discharged convict.

7. Each convict, when he leaves the penitentiary, shall receive a suit of citizen's clothing, suitable for the season in which he is discharged, and (except in the summer season), a suit of under-clothing, and the board shall furnish such convicts transportation to their homes, if within the state of Ohio.

U. S. prisoners.

Section 7433. All criminals sentenced to the penitentiary by the authority of the United States, shall be received and kept according to the sentence of the court by which they were tried, and the prisoners so confined shall be subject in all respects to the same discipline and treatment as though committed under the laws of this state, and the warden shall charge and receive from the United States for the use of the state, for each prisoner, such sum of money, at the discretion of the board, as will fully compensate the state for boarding, clothing, and all necessary expenses, taking into account the value to the state of the labor of such convict, and no other or further charge shall be made by any officer on account of such prisoner.

SEC. 2. That said original section 7433 and section 7427, as amended March 31, 1881, be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 475.]

## AN ACT

To amend sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854. (O. L., vol. 52, page 87).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one and two of an act to provide for the erection of a monument to the memory of General Simon Kenton, passed May 1, 1854, be so amended as to read as follows:

Section 1. Inasmuch as the commissioners appointed under the provisions of said act, did, in the year 1865, remove from their place of interment, in Logan county, the remains of the late Simon Kenton, deceased, "by and with the advice and consent of the surviving relatives of said deceased", then "residing in the counties of Champaign, Logan and Clarke", and interred them on lot 23, section 50, known and designated as Kenton Square, Oak Dale Cemetery, near Urbana, Champaign county, Ohio, and for which lot title is made to said commissioners for the use and benefit of the state forever; all expenses of removal paid by the then incorporated village of Urbana. And inasmuch, also, as the appropriation in said act, by reason of lapse of time cannot now be used in the erection of a monument as contemplated; therefore, for the purpose of accomplishing the original intention contained in said act, William Patrick and Richard H. Cheetham, of Champaign county, Isaac S. Gardner, of Logan county, J. Warren Keifer, of Clarke county, and Miller Arrowsmith, of Defiance county, are hereby appointed commissioners to cause to be erected over the remains of General Simon Kenton, at the place designated in this act, such suitable monument, with such appropriate inscription, as may be determined upon by them, and as the means hereinafter provided for will warrant; said commissioners shall perform their duties without compensation, and in case any of said commissioners shall die or refuse to act, the vacancy shall be filled by appointment of the governor; and the sum of one thousand dollars is hereby appropriated to erect said monument, to be drawn from the treasury on the warrant of the auditor of state, when a majority of the commissioners shall certify that a monument of that value has been erected as herein contemplated.

SEC. 2. That sections one and two of the above recited act be and the same are hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

Monument  
to Simon  
Kenton.

Commis-  
sioners ap-  
pointed.

Appropriation for.

[House Bill No. 679.]

## AN ACT

To amend section 4427 of the revised statutes of Ohio, relative to responsibility of inn-keepers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-four hundred and twenty-seven of the revised statutes of Ohio be so amended as to read as follows:

How inn-keepers relieved from liability.

Section 4427. No inn-keeper who constantly has in his inn an iron safe, or suitable vault in good order, and fit for the safe custody of money, bank notes, jewelry, articles of gold and silver manufacture, precious stones, and bullion, and who keeps, on the doors of the sleeping rooms, used by his guests, suitable locks and bolts, and on the transoms and windows of said rooms, suitable fastenings, and who keeps a copy of this section printed by itself, in large plain English type, and framed, constantly and conspicuously suspended in the office, bar-room, saloon, reading, sitting and parlor room of his inn, and also a copy printed by itself, in ordinary sized plain English type, posted upon the inside of the entrance door of every public sleeping-room of his inn, shall be liable for the loss of any such article suffered by any guest, unless such guest has offered to deliver such property lost by him, to such inn-keeper for custody, in such iron safe, and such inn-keeper has refused or omitted to take it, and deposit it in such safe for custody, and to give such guest a receipt therefor; but every inn-keeper shall be liable for any loss of the above enumerated articles by a guest in his inn, caused by the theft or negligence of the inn-keeper or any of his servants.

SEC. 2. Said original section 4427 is hereby repealed, and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 731.]

## AN ACT

Further providing against the evils resulting from the traffic in intoxicating liquors.

Liquor traffic—amount assessed thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That upon the business of trafficking in intoxicating liquors, there shall be assessed, yearly, and shall be paid into the county treasury, by every person engaged therein as hereinafter provided, and for each place where such business is carried on, by or for such person, the sum of two

hundred dollars. Provided, if such business continues through the year, to-wit: from the second Monday of April, exclusively in the trafficking in malt or vinous liquors, or both, such assessment shall be but one-half the foregoing sum.

**Malt or vinous liquors.**

**SEC. 2.** That said assessments, together with any increase thereof, as penalty thereon, shall attach and operate as a lien upon the real property on, and in which such business is conducted, as of the fourth Monday of April, each year, and shall be paid on or before June 20, following. Provided, where any such business shall be commenced in any year after said Monday, said assessment shall be proportionate in amount to the remainder of the assessment year, except that it shall in no case be less than twenty-five dollars, and the same shall attach and operate as a lien, as aforesaid, at the date of, and be paid within ten days after such commencement; and that whoever shall engage or continue in the business aforesaid of selling intoxicating liquors in or upon land or premises not owned by him, and without the written consent of the owner thereof, shall be held guilty of a misdemeanor and liable to be indicted and punished by a fine not exceeding one hundred dollars nor less than twenty-five dollars, or by imprisonment in the county jail not exceeding ten days, or both, at the discretion of the court; and each day's continuance upon such premises shall be an additional offense.

**Assessment to be a lien on premises.**

**Penalty for selling without written consent of owner of premises.**

**SEC. 3.** That every assessor shall return to the county auditor, with his other returns, a statement upon a blank to be furnished by such auditor for that purpose, as to every place within his jurisdiction where such business is conducted, showing the name of the person engaged therein, a brief and accurate description of the premises where the same is conducted, and by whom owned, and whether such business is confined exclusively to traffic in malt or vinous liquors, or both; said statement shall be signed and verified before such assessor by such person. And if such person shall, on demand, refuse or fail to furnish the requisite information for such statement, or to sign or verify the same, such fact shall be returned by the assessor, and thereupon such assessment upon his said business shall be three hundred and seventy-five dollars. And if any person having made return that his business is confined exclusively to malt or vinous liquors, or both, shall thereafter, during the assessment year, sell any other intoxicating liquors, the assessment upon his business shall thereby be increased by the sum of two hundred and fifty dollars. And if any assessment aforesaid shall not be paid when due, there shall be added a penalty thereto of twenty per centum, which shall be collected therewith.

**Duties of assessors.**

**Penalty for refusing to furnish information.**

**Penalty if not paid when due.**

**SEC. 4.** That the county auditor shall make and preserve duplicates of such assessments, alphabetically arranged, which shall show the amount and time of each assessment, by whom to be paid, and the premises whereon the same is a lien. And upon receiving satisfactory information of any

**Duty of county auditor.**

such business liable to assessment, or increased assessment, as aforesaid, not returned by the assessor, he shall forthwith enter the same upon such duplicate, and upon the county treasurer's copy thereof. By the first Monday of June of each year, he shall make and deliver to the county treasurer a copy of such duplicate, charging him with the full amount of such assessment to be collected, and also with any additional assessments, or increased assessments and penalties.

**Duty of  
county treasurer.**

SEC. 5. That the county treasurer shall collect and receipt for all assessments so returned to him. And if any assessment shall not be paid when due, he shall forthwith proceed as provided by section one thousand one hundred and four (1104) of the revised statutes, to enforce the lien for the same and penalty; and the provisions of said section and any other provisions of the law of this state relative to the collection of taxes or assessments, are hereby made applicable to the enforcement of such liens and the collection of such assessments and penalties. Said treasurer shall charge himself with all such assessments placed in his hands for collection, and shall account to said auditor for all penalties collected by him hereunder.

**"Trafficking  
in intoxicating  
liquors"  
defined.**

SEC. 6. The phrase "trafficking in intoxicating liquors", as used in this act, means the buying or procuring, and selling of intoxicating liquors otherwise than upon prescriptions issued in good faith by reputable physicians in active practice or for exclusively known mechanical, pharmaceutical or sacramental purposes, but such phrase does not include the manufacturing of intoxicating liquors from the raw material, and the sale thereof by the manufacturer of the same in quantities of one gallon or more at any one time.

**Revenues  
and fines;  
how distributed.**

SEC. 7. That the revenues and fines resulting under the provisions of this act shall be distributed as follows, to-wit: In every county three-fourths of the money paid as herein provided into the county treasury, on account of any business aforesaid carried on in any city or village therein, shall, upon the warrant of the county auditor, be paid into the treasury of such corporation, one-half to the credit of the police fund, and one-half to the credit of the general revenue fund thereof; provided, in corporations having no police fund, the entire three-fourths shall be passed to the credit of the general revenue fund thereof. The other fourth, together with all other revenues resulting hereunder in said county, shall be passed to the credit of the poor fund of such county.

**Auditor to  
publish notice.**

SEC. 8. Within ten days after the passage of this act, each county auditor in this state is hereby directed to publish, by one insertion in some newspaper of general circulation in his county, a notice informing all persons engaged in the traffic in intoxicating liquors, that the first assessments imposed by this act will be due and payable on or before the twentieth day of June, A. D. 1883. The attorney-general is charged with the duty of seeing that the requirements of this section are observed, and may enforce the same

**Duty of attorney-general.**

if necessary by proceedings in mandamus. The county commissioners of the respective counties may allow their county auditor a reasonable compensation for the discharge of the duties imposed upon him by this act.

Compensation of auditor.

SEC. 9. That the sale of intoxicating liquors, whether distilled, malt or vinous, on the first day of the week, commonly called Sunday, except by a regular druggist, on the written prescription of a regular practicing physician for medical purposes only, is hereby declared to be unlawful, and all places where such intoxicating liquors are on other days sold or exposed for sale, except regular drug stores, shall on that day be closed, and whoever makes any such sale, or allows any such place to be open or remain open on that day, shall be fined in any sum not exceeding one hundred dollars, and be imprisoned in the county jail or city prison not exceeding thirty days. In regular hotels and eating-houses, the word "place" herein used, shall be held to mean the room or part of room where such liquors are usually sold, or exposed for sale, and the keeping of such room or part of room securely closed shall be held, as to such hotels and eating-houses, as a closing of the place within the meaning of this act; provided, that nothing in this section shall prevent the council of any municipal corporation in the state from regulating and controlling on such first day of the week, the sale of beer and native wine in such manner as may by ordinance be provided. That the "act to amend section 6944 of the revised statutes of Ohio, as amended April 3, 1881", passed April 15, 1882, be and the same is hereby repealed. And any municipal corporation shall have full power to regulate, restrain, and prohibit ale, beer, and porter-houses, and places of habitual resort for tippling and intemperance. But if any municipal corporation shall prohibit ale, beer, and porter-houses within the limits of such corporation, a ratable proportion of the tax paid by the proprietors thereof for the unexpired portion of the year shall be returned to such proprietors.

Unlawful to sell liquor upon Sunday.

Penalty.

The word "place" defined.

Municipal corporations empowered to regulate and prohibit.

SEC. 10. Whoever sells intoxicating liquors to a minor, except on the written order of his parent, guardian, or family physician, or to a person intoxicated or in the habit of getting intoxicated, shall be fined not more than one hundred nor less than twenty-five dollars, and imprisoned not more than thirty or less than five days.

Penalty for selling to minors, etc.

SEC. 11. Section 6941 of the revised statutes of Ohio is hereby repealed.

SEC. 12. This act shall take effect on its passage, but no assessments shall occur previous to the fourth Monday of April, one thousand eight hundred and eighty-three.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 252]

## AN ACT

Supplementary to "an act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants", passed May 4, 1869.

Compensation of railroad trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees appointed under the act to which this act is supplementary, shall receive such compensation, prior to leasing the line of railway of which they are trustees, as shall be allowed by the court appointing them, to be paid out of the trust fund provided for the construction of said railway, and to be proportioned according to their respective services. And said court shall likewise have power to fix, and allow to be paid out of said fund, the compensation of any commissioners heretofore appointed by lawful authority to investigate the affairs of said trustees; to be proportioned according to their respective service.

Compensation of commissioners.

SEC. 2. That section three (3) of an act passed April 18, 1878, entitled "an act supplementary to the acts passed February 24, 1876, and April 24, 1877; supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, 1869 (O. L., vol. 66, p. 80), and to repeal section nine and a portion of section four of said act", be and the same is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

[Senate Bill No. 252.]

## AN ACT

To amend section 2709 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-seven hundred and nine of the revised statutes of Ohio be so amended as to read as follows:

Municipal bonds first offered to sinking fund trustees.

Section 2709. Whenever any municipal corporation issues its bonds, it shall first offer them at par and accrued interest to the trustees or commissioners, in their official capacity, of the sinking fund, or, in case there are no such trustees or commissioners, to the officer or officers of such corporation having charge of its debt in their official capacity, and only after their refusal to take all or any of such bonds at par and interest shall such bonds, or as many of them as remain,



be advertised and offered for public sale. In no case shall the bonds of the corporation be sold for less than their par value. All sales of bonds, other than to the sinking fund, by any municipal corporation, shall be to the highest and best bidder, after thirty days' notice in at least two newspapers of general circulation in the county where such municipal corporation is situated, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with time and place of sale. Additional notice may be published outside of such county on the order of council.

Not to be sold for less than par value.

Sold to highest bidder after notice by publication.

SEC. 2. Said original section 2709 of the revised statutes of Ohio is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage, but no pending advertisement now offering municipal bonds shall be affected by its provisions.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.

[Senate Bill No. 225]

AN ACT

To amend sections 455, 6710, 6711, and 7356 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections four hundred and fifty-five, sixty-seven hundred and ten, sixty-seven hundred and eleven and seventy-three hundred and fifty-six of the revised statutes be so amended as to read as follows:

Section 455. When an important and difficult question of law arises in a cause or proceeding in the district court, the court may, on motion of one or both parties, reserve the cause for decision in the supreme court; but the district court, in every such case, shall find the facts, and shall set forth in the entry of reservation the question or questions of law; nor shall any such reservation be made unless the district court is unanimous in the opinion that the cause or proceeding should be reserved.

Reservation of cases to supreme court.

Section 6710. A judgment rendered or final order made by the district or superior court of Cincinnati in general term, may be reversed, vacated, or modified by the supreme court, on petition in error filed by leave of the supreme court, or a judge thereof, for like errors of law, appearing in like manner, and the judgments and final orders of the superior court of Cincinnati in general term shall not be reviewable in the district court; but no judgment or final order of the district court or superior court of Cincinnati in general term, reversing a judgment or final order and remanding the cause or matter for a new trial on the merits or judgment or order

Jurisdiction of supreme court in error.

rendered in the cause or proceeding previous to such reversal, shall be reversed in the supreme court; nor shall the supreme court, in any cause or proceeding, except where its jurisdiction is original, be required to determine as to the weight of the evidence.

**Record must  
be printed.**

Section 6711. When a petition in error is filed in the supreme court, so much of the record to be reviewed as will show the error complained of shall be printed, and ten of the printed copies thereof filed with the papers, which printing the plaintiff in error may have done, or he may deposit with the clerk sufficient money to pay the cost thereof; and if he fail for sixty days after filing the petition, to file such printed copies or make such deposit, the petition in error shall be dismissed, unless the court, on good cause shown, extend the time or dispense with such printing; and the fair expense of such printing shall be taxed as part of the costs. The clerk shall deliver to the court, at each monthly call of the docket, a list of cases in default under this section, and the court shall call the same and make disposition thereof as herein provided.

**In what  
court judgments may  
be reviewed.**

Section 7356. In any criminal case, including a conviction for a violation of an ordinance of a municipal corporation, the judgment or final order of a court or officer inferior to the court of common pleas, may be reviewed in the court of common pleas; a judgment or final order of any court or officer inferior to the district court may be reviewed in the district court; and a judgment or final order of the district court or court of common pleas in cases of conviction of a felony, or misdemeanors, and the judgment of the district court in any other case involving the constitutionality or construction of a statute, may be reviewed in the supreme court; but in the supreme court only errors of law, occurring at the trial or appearing in the pleadings or judgment, can be reviewed.

SEC. 2. Original sections 455, 6710, 6711 and 7356 of the revised statutes be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage, and apply to all cases and proceedings hereafter brought in or into the supreme court.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.

[Senate Bill No. 329.]

#### AN ACT

Supplementary to section 3641 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section 3641 of the revised statutes of Ohio, and shall be designated section 3641a:

Section 3641a. All companies heretofore organized, or that may hereafter be organized for the purpose of insuring against loss or damage by fire, may insure against loss or damage by lightning.

Fire insurance companies may insure against lightning.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 18, 1883.

[Senate Bill No. 297.]

#### AN ACT

To amend sections two and six of an act for the establishment of an agricultural experiment station, passed April 17, 1882. (Ohio Laws, vol. 79, page 113).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections two and six of an act entitled "an act for the establishment of an agricultural experiment station," passed April 17, 1882, be amended so as to read as follows:

SEC. 2. The location, control, and general management of the experiment station shall be submitted to a board of control, which shall consist of five members, three of whom shall be appointed by the governor, and their term of office shall be three years, and until their successors are duly appointed and qualified, except that those first appointed under this amended law shall hold their office as follows: One for one year, one for two years, and one for three years from date of appointment. The governor of the state and the person appointed as hereinafter provided to be director of the station, shall be ex-officio members of the board of control, and together with the three members appointed by the governor, shall constitute the full board of control.

Agricultural experiment station—board of control.

SEC. 6. The director's salary shall be fixed by the board of control in proportion to the amount of service required and performed, not to exceed five hundred dollars per annum. The members of the board of control shall be paid their actual expenses while on duty, but no compensation for time or services.

Governor ex-officio member of board.

SEC. 2. That said original sections two and six be, and the same are hereby repealed.

SEC. 3. This act shall take effect immediately on its passage.

Salary of director; compensation of board.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 18, 1883.

[Senate Bill No. 300.]

## AN ACT

To amend section 1979 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section nineteen hundred and seventy-nine of the revised statutes be so amended as to read as follows:

**Misdemeanor to use violence upon police, or falsely assume to be member of force.**

Section 1979. It shall be a misdemeanor punishable by a fine, not exceeding one hundred dollars, or imprisonment in the work-house or county jail, not less than one month nor more than three months, or both fine and imprisonment, for any person, without justifiable or excusable cause, to use personal violence upon any member of the police force, when in the discharge of his duty, or for any person not a member of the force to falsely represent himself as being such member.

SEC. 2. That said original sections 1979 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.

[Senate Bill No. 342.]

## AN ACT

To amend section 4000 and section 4001, as amended April 15, 1881 (O. L., v. 78, p. 132), and section 4002 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections forty hundred and forty hundred and one, as amended April 15, 1881, and forty hundred and two of the revised statutes of Ohio be and are hereby amended so as to read as follows:

**Board of education of Cleveland to elect public library board.**

Section 4000. The board of education of the city of Cleveland shall, at its first regular meeting after the third Monday of April, 1884, and every two years thereafter, elect by roll-call, as in other cases, not less than three nor more than seven suitable persons, residents of said city, and not members of the board of education, who shall be known as the public library board of the city of Cleveland, and shall hold office for two years from such election and until their successors shall have been elected and qualified, and without compensation.

**Powers and duties of library board.**

Section 4001. Such library board shall report in writing to the board of education once each year, and oftener if required by the latter, shall have exclusive charge and control of the public library of the city, and shall have full power to make all rules and regulations for the government and

management thereof; to employ a librarian and such assistants and helps as may be needed for the care and protection of the library, and to attend to the drawing and return of books; but prior to such employment the compensation of such librarian, assistants and help, shall be fixed by the library board, by a majority of the members thereof voting in favor of such compensation, on roll-call by the secretary, and such librarian, assistants and help shall be employed by a vote in the same manner.

Section 4002. For the purpose of increasing and maintaining the public library in said city, and the territory thereto attached for school purposes, such library board may levy annually a tax of two and one-half-tenths of one mill on each dollar valuation of the taxable property of the city, and the territory thereto attached for school purposes, to be levied, collected and paid in the same manner as are the school taxes of the city; all money appropriated, received or collected by tax for the library, shall be expended under the direction of the library board in purchasing such books, pamphlets, papers, magazines, periodicals, journals and other property as may be deemed suitable for the public library, and in payment of all other charges and expenses, including compensation to the librarian, assistants and help, that may be incurred in increasing and maintaining the library; and the pay-rolls and all warrants upon the treasurer given to pay such expenditures, upon the order of the library board, be certified by the president and secretary of such board, and paid by the treasurer of the city from such library fund.

**Library tax,  
and how ex-  
pended.**

SEC. 2. That said section 4000, section 4001, as amended April 15, 1881, and section 4002 of the revised statutes of Ohio be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.

[House Bill No. 515]

#### AN ACT

To amend sections 2502, 3438 and 3439 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2502, 3438 and 3439 of the revised statutes be, and the said sections are hereby amended so as to severally read as follows:

Section 2502. Nothing mentioned in the next preceding section shall be done; no ordinance or resolution to establish or define a street railroad route shall be passed, and no action inviting proposals to construct and operate such railroad,

**Proceedings  
to establish  
a street rail-  
road route.**

shall be taken by the council, except upon the recommendation of the board of public works, in cities having such a board, and of the board of improvements in other municipalities; and no ordinance for the purpose specified in said preceding section shall be passed until public notice of the application therefor has been given by the clerk of the corporation, in one or more of the daily papers, if there be such, and if not, then in one or more weekly papers published in the corporation, for the period of at least three consecutive weeks; and no such grant as mentioned in said preceding section shall be made, except to the corporation, individual or individuals, that will agree to carry passengers upon such proposed railroad at the lowest rates of fare, and shall have previously obtained the written consent of a majority of the property-holders upon each street, or part thereof, on the line of the proposed street railroad, represented by the feet front of the property abutting on the several streets along which such road is proposed to be constructed; provided, that no grant, nor renewal of any grant for the construction or operation of any street railroad, shall be valid for a greater period than twenty-five years from the date of such grant or renewal; and after such grant or renewal of a grant is made, whether by special or general ordinance, the municipal corporation shall not, during the term of such grant or renewal, release the grantee from any obligation or liability imposed by the terms of such grant or renewal of a grant.

**Not valid for more than 25 years.**

**Who may grant authority to construct same.**

Section 3438. The right so to construct or extend such railway within or beyond the limits of a municipal corporation can be granted only by the council thereof, by ordinance, and the right to construct such railway within or beyond the limits of an unincorporated village can be granted only by the county commissioners, by order entered on their journal; and after said grant or renewal of any grant shall have been made, whether by general or special ordinance, or by order of the county commissioners, neither the municipal corporation nor the county commissioners shall release the grantee from any obligations or liabilities imposed by the terms of said grant or renewal of a grant during the term for which said grant or renewal shall have been made. Provided, that no authority shall be given by such municipal or county authorities, to occupy the track, whether single or double, or other structure, of any existing street railways for more than one-eighth of the entire distance between the termini of the route, as actually constructed, operated and run over, of the company or individual to whom such grant is made; except, however, in granting permission to extend existing routes in cities of the first, second, and third grade of the first class, and first grade, second class, such cities, and the companies owning such route, shall have the same rights and powers they have under the laws and contracts now existing; and that no extension of any street railroad located wholly without any such city, or of any street railroad wherever located,

**Proviso.**

which has been or shall be built in pursuance of a right obtained from any source or authority other than a municipal corporation, shall be made within the limits of such city, except as a new route, and subject to the provisions of sections 2501 and 2502.

Section 3439. No such grant shall be made until there is produced to council, or the commissioners, as the case may be, the written consent of the owners of more than one-half of the feet front of the lots and lands abutting on the street or public way, along which it is proposed to construct such railway or extension thereof; and the provisions of sections 2501 and of 2503 to 2505, inclusive, so far as they are applicable, shall be observed in all respects, whether the railway proposed is an extension of an old, or the granting of a new route; provided, that this act shall not apply to any county containing a city of the second grade of the second class.

Written consent of owners of more than  $\frac{1}{2}$  of feet front necessary.

SEC. 2. That said original sections 2502, 3438 and 3439 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.

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[Senate Bill No. 247.]

#### AN ACT

To amend original section 107 and amended section 108 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That said section one hundred and seven be amended so as to read as follows:

Section 107. The governor shall cause to be kept in his office a general record, in which shall be entered a brief abstract of the official proceedings of each day; a record of notaries public, in which shall be entered the name, post-office address, county, date of commission, and the beginning and expiration of term of each notary public appointed; a record of commissioners, in which shall be entered the name, post-office address, the state, territory, or country, where the appointee resides, the date of commission, and the beginning and expiration of term of each commissioner appointed; a record of requisitions, in which shall be entered an abstract of each application for a requisition, showing date, by whom made, the name of the alleged fugitive, the offense charged, upon the executive authority of what state, territory, or country the requisition is requested, and whether granted or refused, and an abstract of requisitions received, showing

Records to be kept in governor's office.

date of receipt, from what state or territory issued, the name of the alleged fugitive, the offense charged, whether a warrant was issued or refused, and if issued, to the sheriff of what county, and if refused, the reason therefor; a record of transfers, in which shall be entered the name of each convict transferred to the reform school, girls' industrial home, or an asylum for the insane, or removed from said institutions, and of each insane person transferred from one insane asylum or asylum district to another, by warrant of the governor, and the facts pertaining to each such transfer; a pardon record, in which shall be entered the date of each application for pardon, reprieve, or commutation, the name of the convict, of what crime, in what county, and at what term of court he was convicted, the sentence of the court, and the action of the governor, the reason therefor, and the date thereof; a record of restorations, in which shall be entered the name of each convict to whom has been issued, in pursuance of section seven thousand four hundred and thirty-two, as amended March 31, 1881, or shall hereafter be issued, by the governor, a certificate evidencing the restoration of the rights and privileges forfeited by his conviction, and of what crime, in what county, and at what term of court he was convicted, the term of his sentence, and the date of such certificate and by whom issued; and an appointment record, in which shall be entered the name of each person appointed to any office by the governor, except notaries public and commissioners, the office to which appointed, the date of the appointment, of the commission, and of the beginning and expiration of the term, and in cases wherein action by the senate is required, the result and date of such action.

SEC. 2 That said section one hundred and eight be amended so as to read as follows:

Alphabetical index; official papers to be filed.

Section 108. There shall be kept an alphabetical index to each of said records, and all official papers shall be filed in boxes properly labeled and dated; and a transcript or an abstract of any entry in any record kept as aforesaid, or a copy of any such official paper, duly certified as such by the private secretary or executive clerk of the governor, under the great seal of the state, shall be received as prima facie evidence of the facts therein stated, in any court, or before any officer of this state; but the qualification of notaries public shall be certified by clerks of courts of common pleas only.

SEC. 3. That said sections 107 and 108 are hereby repealed, and this act shall take effect upon its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.



[Senate Bill No. 353.]

## AN ACT

To enable societies or benevolent associations to own stock in buildings used for lodge or meeting purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever any incorporated company organized under the laws of the state of Ohio, and having a capital stock including corporations organized as provided in section thirty-eight hundred and sixty-eight, revised statutes, and the acts amendatory and supplementary thereto, is organized for the purpose of erecting and maintaining a building, any portion of which is intended for or to be occupied by two or more incorporated companies not having a capital stock, including religious, scientific, and beneficial associations heretofore incorporated under the provisions of sections sixty-six to seventy of "an act to provide for the creation and regulation of incorporated companies in the state of Ohio", passed May 1, 1852, and the several acts supplementary and amendatory thereto, as a lodge-room, chapel, or regular place of meeting for their members, the said incorporated companies, societies or benevolent associations may each subscribe for, purchase or become the owner or owners, by donation or otherwise, of the whole or any portion of the capital stock of said incorporated company organized for the purpose of erecting and maintaining such building aforesaid.

Certain incorporated companies may purchase and own stock in other incorporated companies.

SEC. 2. That each of said incorporated companies, societies and associations shall be liable in its corporate capacity for and on their respective shares of said capital stock so subscribed, purchased, and owned by it the same as if the same were held and owned by an individual.

To be liable in corporate capacity same as individuals.

SEC. 3. That whenever two or more of such incorporated companies, societies, or benevolent associations shall subscribe, purchase or own all the capital stock of said incorporated company organized for the purpose of erecting and maintaining such building, each of said incorporated companies, societies or benevolent associations, shall elect three members of its company, society or association to act as directors of said incorporated company as soon as all the stock is subscribed and ten per cent. is paid, and shall thereafter at its first stated meeting in January of each year, elect three such directors. That the directors so elected and their successors in office shall comprise the board of directors of said incorporated company, and have all the powers conferred by law on the directors of incorporated companies

Directors; when and how elected.

having a capital stock, and said directors need not be the owners or holders of any of the capital stock of said corporation.

SEC. 4. This act shall be in force and take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 18, 1883.

[House Bill No. 807.]

#### AN ACT

To amend section 2702 of the revised statutes of Ohio, as amended ~~in~~ January 19, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty-seven hundred and two of the revised statutes of Ohio, as amended January 19, 1882, is hereby amended to read as follows:

Restrictions  
as to con-  
tracts and  
appropria-  
tions by mu-  
nicipal cor-  
porations.

Section 2702. No contract, agreement or other obligation involving the expenditure of money shall be entered into, nor shall any ordinance, resolution or order for the appropriation or expenditure of money, be passed by the council or by any board or officer of a municipal corporation, unless the auditor of the corporation, and, if there is no auditor, the clerk thereof, shall first certify that the money required for the contract, agreement or other obligation, or to pay the appropriation or expenditure, is in the treasury to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose, which certificate shall be filed and immediately recorded; and the sums so certified shall not thereafter be considered unappropriated until the corporation is discharged from the contract, agreement or obligation, or so long as the ordinance, resolution or order is in force; and all contracts, agreements or other obligations, and all ordinances, resolutions and orders entered into or passed contrary to the provisions of this section shall be void; provided, that in cities of the second grade of the first class, funds in the hands of the commissioners of the sinking fund of 1862, so called, shall, when set apart by ordinance for any particular purpose, be deemed as money in the treasury for such purpose, within the meaning of this section; and further provided, that in said cities of the second grade of the first class, whenever any loan for extension of water-works or construction of main sewers or of elevated roadways, has been authorized by law, the money to arise therefrom shall be deemed in the treasury for such purpose, within the meaning of this section.

Proviso.

SEC. 2. That said section 2702, as amended January 19, 1882, is hereby repealed.

SEC. 3. This act shall take effect from its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 296.]

AN ACT

Supplementary to section 3680 of the revised statutes of Ohio, as supplemented April 12, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following be enacted as supplementary to section thirty-six hundred and thirty of the revised statutes of Ohio, as supplemented April 12, 1880, with sectional numbering as follows :

Section 3630g. No such corporation, company or association shall issue a certificate or policy to any person, until such person has been first subjected to a thorough medical examination by a regularly educated medical man, and found to be a good risk ; nor to any person above the age of sixty-five years, nor below the age of fifteen years, but the provisions of this supplementary section shall not apply to such corporations, companies or associations doing a purely accident business. Any trustee, officer, agent or employe of any such corporation, company or association, who shall knowingly insure, or cause or permit to be insured any person without that person's knowledge or consent, or any fictitious person, or any person over sixty-five or under fifteen years of age, or any sickly or infirm person, or shall issue a certificate or policy of insurance for any such corporation, company or association which has not complied with the laws of this state, or shall knowingly violate any of the provisions of this act or the act to which this is supplementary, and any medical man or other person who shall knowingly aid in or abet in any manner any such trustee, officer, agent or employe in effecting or restoring such insurance, or insurance on his own life, shall be fined not more than one thousand dollars, nor less than one hundred dollars, or imprisoned not more than six months, or both.

Mutual protection associations ; to whom policies shall not issue.

Penalty for violating provisions of this act.

Section 3630h. The expenses of such corporations, companies or associations shall be met by fixed annual payments, or by assessments made and designated to be for such expenses ; but such assessments shall, in no case, be made or become a part of any assessments to pay a loss by death ; and no part of the mortuary fund shall in any case be used to pay expenses.

Expenses ; how paid.

SEC. 2. That section thirty-six hundred and thirty (e) of the revised statutes of Ohio, as amended April 12, 1880, be so amended as to read as follows, and said original section thirty-six hundred and thirty (e) is hereby repealed:

Rules under which foreign associations may do business in this state.

Section 3630e. Any corporation, company or association organized under the law of any other state to insure lives of members on the assessment plan, and authorized to transact the business contemplated in section thirty-six hundred and thirty, shall be permitted to do such business, to-wit: The business contemplated in section thirty-six hundred and thirty, in this state, by first complying with the laws of the state of Ohio, regulating corporations, companies or associations organized for the mutual protection of its members within this state, upon obtaining from the superintendent of insurance of this state a certificate of such compliance, which certificate shall not be granted until such foreign corporation, company or association shall have appointed an agent or attorney within this state upon whom service of process may be had. Provided, that the superintendent of insurance shall not be required to issue certificates to do business in Ohio to an agent of any such corporation, company or association organized in any state in which such Ohio corporations, companies or associations are not permitted to do business on substantially the same basis and limitations as they are in Ohio.

SEC. 3. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 886.]

#### AN ACT

To supplement section 2614 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section twenty-six hundred and fourteen of the revised statutes of Ohio, with sectional numbering as follows:

Proceedings to vacate lots not within a municipal corporation.

Section 2614a. Any person or persons owning, either jointly or severally, and either in their own right or in trust, and having the legal title to any land laid out in town lots, or to any whole block or blocks of lots in any land laid out in town lots, and not within the limits or under the control of any municipal corporation, may vacate said lots or block or blocks of lots upon giving notice of his, her or their intention so to do, for two weeks in some newspaper published and of general circulation in the county where said land

lies, and if any of said lots have been sold, personal written notice to the owner or owners of said lots so sold, and if no notice of an injunction granted against such vacation is served upon the auditor of the county where said lands lie, or any notice of dissent from said vacation, by the owners of any of said lots within ten days after the completion of said notice, the said auditor shall and he is hereby authorized and required to make all necessary changes and transfers in and upon his duplicate after said ten days from the time of the completion of said notice; the proof of which shall be furnished said auditor, and he shall give to the party or parties at whose instance such vacation is made, a certificate stating that such lots or block or blocks of lots have been vacated, upon the presentation of which to the recorder of said county, he shall write upon such plat of lots, block or blocks, as they appear on the plat of such lots, the word "vacated", and said vacation shall have the same effect as if made by the judgment of a court having jurisdiction thereof. The said auditor and recorder shall be entitled to such fees for their services under this section as they are entitled by law in like cases, which shall be paid by the party or parties making such vacation.

Duty of  
county audi-  
tor and re-  
corder.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 909.]

#### AN ACT

To provide for additional accommodations for the insane of the state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated from the general revenue fund the sum of two hundred thousand dollars (\$200,000), for providing accommodations for the care of the insane of the state not now provided with state care.

Appropriation for additional accommodations for insane.

SEC. 2. The governor, attorney-general, secretary of state, auditor of state, and Roeliff Brinkerhoff, are hereby appointed a commission to determine upon the manner in which said provisions for the care of the insane shall be made; and in making said provisions for the care of the insane, said commission is authorized to adopt plans which shall provide for the expenditure of a sum not to exceed five hundred thousand dollars, which shall include heating apparatus and radiators all complete; also. gas works with gas fixtures, water-works and sewerage, so that the building or buildings shall be complete in every respect, ready for the reception of patients, and the same to be fire-proof; and the appropriation named shall also include the purchase of land.

Commission to determine mode of.

Plans for completion.

Site—if upon  
any asylum  
ground.

Auditor of  
state to  
credit such  
asylum.

How ex-  
pended.

If site re-  
mote from  
other asy-  
lum, gover-  
nor shall ap-  
point trust-  
tees.

County com-  
missioners  
may sell or  
donate  
lands.

SEC. 3. If the said commission shall select any site or sites located upon the grounds of any asylum or asylums for the insane in the state, the trustees of such asylum or asylums for the insane shall be and are hereby empowered to proceed with the erection of said buildings, and the auditor of state shall place to the credit of such asylum or asylums for the insane the sum herein appropriated, or such portion thereof as said commission shall determine, which appropriation shall be known as the building fund of said asylum or asylums for the insane, and shall be expended by said trustees in the same manner and under the same restrictions that govern the erection of public buildings; and the trustees of said asylum, in the completion of said additional buildings, shall not exceed the amount so apportioned to said asylum.

SEC. 4. If the said commission shall select a site remote from either of the asylums for the insane, then the governor shall appoint five trustees, who shall proceed with the erection of the building as provided by law, which building shall be fire-proof as far as practicable, with a capacity of not less than six hundred and fifty inmates.

SEC. 5. The commissioners of any county in the state are hereby authorized and empowered to sell or donate and convey to the state, for asylum purposes, any lands owned by their respective counties, and to execute therefor good and sufficient deeds and instruments in writing.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 972.]

#### AN ACT

To provide for the appointment of assistant assessors in cities of the third grade of the first class, and to supplement section 1718 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section shall be supplementary to the preceding section, and shall be numbered and known as

Assessors in  
certain cities  
shall appoint  
assistants.

Section 1718a. In cities of the third grade of the first class, each ward assessor shall, with the approval of the auditor of the county in which said city is situated, appoint some well-qualified citizen of such city to act as assistant, who shall serve at a compensation of two dollars per day for each day or part of a day actually employed, and each assistant so appointed shall, within the ward assigned, whom

under the direction of the assessor appointing him, after giving a bond in the sum of two hundred dollars and taking an oath as prescribed by law, performing all the duties enjoined upon, vested in or required of assessors, and shall be subject to all provisions of law relating to assessors. Bond and oath.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 527.]

### AN ACT

Supplementary to section 3206 of the revised statutes of Ohio, providing a lien for laborers, miners, mechanics and others, for their labor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section thirty-two hundred and six of the revised statutes of Ohio, with sectional numbering as herein provided:

Section 3206a. Laborers and employes of any persons, association of persons or corporation, whether such employment be at agriculture, mining, manufacture or other manual labor, shall have a lien upon the real property of their employers for their wages, which is hereby declared to be superior to the following liens taken or attaching during the existence of such unpaid labor claims to-wit: liens of attachment, liens of mortgage given or taken at a time of actual insolvency of the debtor, or with a view of preferring creditors or to secure a pre-existing debt, and superior to all claims for homestead, or other exemptions, except under section fifty-four hundred and thirty; and in all cases where property of an employer is placed in the hands of an assignee, receiver or trustee, claims due for labor performed within the period of three months prior to the time such assignee, receiver or trustee is appointed, shall be first paid out of the trust fund, in preference to all other claims against such employer, except claims for taxes and the costs of administering the trust. The lien herein provided shall be deemed to be waived by the laborer or employe, as to any portion of such labor, unless within thirty days from the expiration of three months from the performance of such portion, he shall file with the recorder of the county where the labor was performed, an itemized statement verified by affidavit, of the amount, kind and value of the labor performed within said period, with all credits and offsets, and the amount then due him therefor, which verified statement, when so filed, shall

Laborers shall have lien upon real property of employer.

Precedence of lien.

When deemed waived.

be recorded in a book kept for the purpose, and shall become and operate as a lien upon the real property of the employer without any specific description thereof, for the period of one year from and after the filing thereof, and if an action is brought to enforce the lien within that time, it shall continue in force until finally adjudicated; and the proceedings to enforce such lien shall be the same as in other cases of lien, against the owner of the property and all other persons interested; provided, that if several persons have or obtained liens under the provisions of this section, against the property of the same employer, they shall have no priority among themselves, but all shall be paid pro rata, nor shall they have priority over those obtaining liens under sections thirty-one hundred and eighty-four, thirty-one hundred and eighty-five, thirty-one hundred and eighty-six and thirty-one hundred and eighty-seven of this chapter, but the persons obtaining liens under said sections thirty-one hundred and eighty-four, thirty-one hundred and eighty-five, thirty-one hundred and eighty-six and thirty-one hundred and eighty-seven shall have priority as provided therein.

What liens shall have priority.

To whom foregoing section applies.

Section 3206b. The provisions of the foregoing section shall apply to and include any laborer who indirectly performs labor for a general employer, or the results of whose labor is immediately enjoyed by a general employer, whenever such general employer assumes payment of such laborer's wages by passing a credit therefor upon his books of account or otherwise, and whenever the provisions of this section apply, all proceedings hereunder shall be the same as provided in the preceding section. But nothing in the foregoing section shall be so construed as to affect or impair any valid and subsisting lien existing at the time of the passage of this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 524.]

#### AN ACT

To provide for the construction of trunk sewers in cities of the first grade of the first class.

Additional tax for sewer purposes in certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the construction of trunk sewers in cities of the first grade of the first class, the common council thereof be and they are hereby required to levy, in addition to the taxes now authorized by law, annually, at the same time



and in the same manner that other taxes are authorized to be levied, six-tenths of one mill on the dollar of all the property of such cities subject to taxation, for and during each of the five fiscal years next ensuing after the passage of this act.

SEC. 2. The money arising from said levy shall be placed in the city treasury and kept as a separate fund, to be known as the trunk sewer fund, and shall be expended only for the purpose of constructing trunk sewers in such cities, and in paying for rights of way for the same, which may be secured either by purchase, or by appropriation in accordance with the statutes providing for the appropriation of private property by municipal corporations, and in paying the surplus over the assessments authorized by law, of the costs of constructing lateral and branch sewers, but any portion of said fund may be expended for the purpose aforesaid, in any part of such city, without regard to any division of the same into sewer districts; and no part of said fund shall ever be transferred to any other fund.

How such fund expended.

SEC. 3. No owner of property abutting on the line of any of said sewers shall be permitted to tap or use the same in any manner, for the drainage of private property until he shall have fully paid the assessment levied on all of his property to pay the costs of constructing such sewer, and complied with such other rules and regulations as may be provided by the common council or board of public works, as to the tapping of sewers in such city. And said board last named is hereby authorized and required to assess all lands abutting upon any such sewer, whether the same be located in any street or other public way, or upon ground neither used nor intended to be used as a public way, to the same extent and in the same manner that the laws now provide for the assessment of the cost of the construction of sewers upon property abutting upon or benefited thereby, except that such assessment may or may not be levied by districts, as said board, in its discretion, may determine.

Property owner not to tap sewer until assessment paid.

All abutting lands to be assessed.

SEC. 4. Upon the passage of this act, the authorities of said city shall proceed at once to take the necessary steps and contract for the construction of said sewers, commencing with such sewers as in their opinion are most immediately necessary, the cost of the same, over and above the amount of the assessment permitted by law, to be paid out of the trunk sewer fund, above provided for, as soon as the same is collected; provided, that the amount contracted to be paid under any such contract or contracts, made in the anticipation of the collection of such levy, shall not, in any one year, exceed the sum of one hundred thousand dollars, in addition to the amount which the law authorizes to be assessed upon private property, for the construction of such sewers.

Duties of city authorities.

Cost; how paid.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 958.]

### AN ACT

To amend section five hundred and seventy-nine (579) of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section five hundred and seventy-nine of the revised statutes of Ohio be amended so as to read as follows :

Justice's  
 commission;  
 oath.

Bond.

Clerk of  
 court to be  
 notified of  
 filing bond.

Section 579. When a person is elected to the office of justice of the peace, and receives a commission from the governor, he shall forthwith take and subscribe the necessary oath appertaining to the office, before the clerk of the court of common pleas of his county, who is authorized to administer the same, or before a justice of the peace of his county, who shall, within ten days, transmit the oath to the clerk aforesaid, who, in either case, shall file the same, and make record of it in a book provided for that purpose; and each justice of the peace so qualified shall, before he is authorized to discharge any of the duties of his office, and within ten days after taking the oath, enter into bond, to be approved by the trustees of his township, payable to the state, with at least two sufficient sureties, with a penalty of not less than one thousand nor more than five thousand dollars, at the discretion of the trustees, to be deposited with the township treasurer, unless the township treasurer is the justice elect, then with the township clerk, conditioned that such justice shall well and truly pay over, according to law, all money which shall come into his hands by virtue of his commission, and also that he shall faithfully perform every ministerial act that is enjoined upon him by law; and on refusal or neglect to enter into such bond, the office shall be deemed vacant, and the trustees shall give notice of a new election to fill the vacancy. And the officer with whom such bond is filed shall forthwith, after the filing of the same, notify the clerk of court of common pleas thereof in writing, giving the date of filing, and such clerk shall make an entry of the fact in the record in which the oath of the justice is recorded, adjoining the record of the oath; and no officer other than the clerk of the court of common pleas shall certify to the signature and qualification of justices of the peace.

SEC. 2. Said original section 579 is hereby repealed ; and this act shall take effect upon its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 828.]

AN ACT

To amend section 108 of the revised statutes of Ohio, as amended February 24, 1881. (78 O. L., 41.)

SECTION 1: *Be it enacted by the General Assembly of the State of Ohio*, That amended section one hundred and eight be amended to read as follows:

Section 108. There shall be made and kept up an alphabetical index to each of said records. And all official papers shall be filed in boxes properly labeled and dated, to which boxes reference shall be made in the proper places in said records. And a transcript of an entry in any record or of any official paper, kept as aforesaid, certified as correct by the private secretary, or executive clerk of the governor under the great seal of the state of Ohio, shall be received as prima facie evidence of the facts therein stated, in any court, or before any officer of the state. Alphabetical index; official papers to be filed.

SEC. 2. That said amended section 108, passed February 24, 1881, be and the same is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 653.]

AN ACT

To amend sections 2573, 2574 and 2575 of the revised statutes of Ohio relative to fire-escapes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections twenty-five hundred and seventy-three, twenty-five hundred and seventy-four and twenty-five hundred and seventy-five of the revised statutes of Ohio be so amended as to read as follows:

Duties of  
factory-men,  
hotel-keep-  
ers, etc., as  
to fire-es-  
capes.

Section 2573. It shall be the duty of any owner or agent for owner of any factory, workshop, tenement house, inn, or public house, if such factory, workshop, tenement house, inn, or public house be more than two stories high, to provide a convenient exit from the different upper stories of said building, which shall be easily accessible in case of fire, and any owner or person having control of any such inn or public house where travelers or boarders are lodged in any story above the second story of the building, shall also provide a good rope or other life line for each sleeping-room for guests in such stories.

Duty of  
mayor to re-  
quire such  
escapes;  
penalty for  
failure to  
comply.

Section 2574. It shall be the duty of the mayor of each city or village to require the owner or agent for owner of any factory, workshop, tenement house, or inn or public house, within the meaning of the next preceding section, to comply with the requirements of said section within sixty days from the serving of a notice by the mayor so to do, unless such owner or agent for owner shall have previously complied with the requirements of said preceding section, and if any such owner or agent of owner neglects or refuses to comply with the requirements of the next preceding section within the time specified in said notice, he shall forfeit not less than fifty nor more than three hundred dollars for each and every month he so fails to comply therewith, the amounts so forfeited to be recovered in the name of and for the use of such city or village in an action in the police court or other competent tribunal; such owner or agent for owner may also be held for civil damages to the party injured.

Mayor, etc.,  
to examine  
building  
once a year.

Section 2575. It shall be the duty of the mayor of such city or village, personally, or by the marshal or head of police of such city or village, or other proper person whom the mayor may appoint acting under the direction of the mayor, as inspectors of fire-escapes, to carefully examine such factories, workshops, tenement houses, inns or public houses once in each year, and report all violations of the provisions of sections twenty-five hundred and seventy-three and twenty-five hundred and seventy-four to the council of such city or village, when proceedings shall be commenced, without unnecessary delay, against the person so offending, and said mayor, marshal, or head of police, or person so appointed by the mayor to act as inspector of fire-escapes, shall be entitled to receive for said notices and said examination such fees as the council may by ordinance provide.

Compensa-  
tion.

SEC. 2. Said original sections 2573, 2574 and 2575 are hereby repealed; and this act shall take effect and be in force from and after May 1, 1883.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 864.]

## AN ACT

Supplementary to sections 1443 and 1480 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a supplementary section be enacted to sections fourteen hundred and forty-three and fourteen hundred and eighty, with sectional numbering as follows :

Section 1480a. That in all cases where the trustees have been authorized by an affirmative vote under either of the sections named in the title of this act, to purchase a site and erect thereon a town-hall, and suitable lands can not be procured by contract for that purpose on reasonable terms, they may appropriate land therefor, not exceeding one acre, by proceedings in accordance with the law regulating the appropriation of private property by municipal corporations; but no such appropriation shall be made until the court is satisfied that such lands can not be obtained by contract on reasonable terms.

Proceedings  
when site  
for town hall  
cannot be  
procured  
by contract.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 758.]

## AN ACT

To amend section 6960 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-nine hundred and sixty of the revised statutes of Ohio be so amended as to read as follows:

Section 6960. Whoever, at any time, catches, kills or injures, or pursues with such intent, any swan, sparrow, other than English sparrow, robin, blue-bird, martin, thrush, mocking-bird, swallow, oriole, red-bird, grossbeak, cat-bird, chewink or ground-robin, pewee or phoebe-bird, wren, cuckoo, indigo-bird, nut-hatch, creeper, yellow-bird or fringilla, yellow-hammer or flicker, warbler or finch, maris, red-start, dummock, nightingale, dove, cross-bill or crow, crake, Hungarian robin, European black-bird, great-tit or blue-tit, or disturbs or destroys the eggs of any such birds, shall be fined not more than fifty, nor less than two dollars, or imprisoned not more than thirty days, or both.

Killing or  
injuring cer-  
tain birds;  
penalty.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 819.]

## AN ACT

To provide additional office room for the use of the clerk of the supreme court.

Additional  
room for  
clerk of su-  
preme court.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the adjutant-general of the state be and he is hereby required to partition off so much of the hall east of the present office of said clerk, as shall be necessary for the use of said clerk, and which will not interfere with the use of the other parts of the building; provided, that in making such improvement, the same shall be done without material defacement or injury to the present structure, and in so far as may be, said improvement shall be as temporary and inexpensive as will provide additional room for the use of said clerk.

SEC. 2. There be and is hereby appropriated, out of any funds in the treasury not otherwise appropriated, the sum of seven hundred dollars, to be paid on the requisition of the said adjutant-general.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 925.]

## AN ACT

Regulating the casing of oil-wells and the mode of plugging the same when abandoned.

Owner to in-  
case oil-well.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the owner or operator of any well put down for the purpose of exploring for and producing oil or gas, shall, before drilling into the oil-bearing rock, incase such well with good and sufficient wrought iron oil-well casing and in such manner as shall exclude all surface or fresh water from the lower part of such well and from penetrating the oil-bearing rock. Should any well be put down through the first into a lower oil-bearing rock, the same shall be cased in such a manner as will exclude all fresh water above the last oil-bearing rock penetrated.

Owner of  
abandoned  
well to plug  
same.

SEC. 2. The owner or operator of any well, when about to abandon or to cease operating the same, for the purpose of excluding all fresh or surface water from penetrating the oil-bearing rock or rocks, and before drawing the casing, shall

fill the well with sand or rock sediment to the depth of two feet below the top of the oil-bearing first rock, and drive therein a round, seasoned wooden plug at least two feet in length, and in diameter equal to the full diameter of the well below the casing, and immediately upon drawing the casing shall fill in on top of such plug with sand or rock sediment to the depth of five feet and again drive into the well a round wooden plug three feet in length, the lower end tapering to a point and to be of the same diameter at the distance of eighteen inches from the smaller end as the diameter of the well below the point at which it is to be driven, and after such plug has been properly driven, the well shall be filled with packed sand or rock sediment to the depth of at least twenty feet.

SEC. 3. Any owner, operator, or person who shall violate the provisions of the preceding sections of this act, shall be guilty of a misdemeanor, and shall be fined in the sum of two hundred dollars for each and every such offence, which fine, when collected, shall be paid to the school-fund of the district in which the well is situated.

Penalty for violating preceding sections.

SEC. 4. It shall be the duty of the owner of any land on which there may be abandoned oil-wells not plugged in the manner provided in section two of this act, or in a manner that shall effectually exclude the fresh or surface water from the oil-bearing rock, to plug such abandoned wells in the manner provided in said section two, such plugging to be subject to the inspection of the owner of or person operating for oil on the adjoining land, and if such owner shall neglect so to do, it shall be lawful for any owner of or operator for oil upon adjoining land, after having given ten days' written notice to such owner, to enter upon the land on which such abandoned well may be, and take possession of and plug such abandoned well, in manner as provided above in section two, at the expense of the owner or person whose duty it is to plug the same, and in addition the owner of the land containing such abandoned well shall be liable to the penalty contained in section three of this act, to be collected in the same manner and for the same use and purpose as therein provided. Provided, that when it shall be necessary to clean out any well abandoned before the passage of this act, the owner of such well shall not be held liable for such expense.

Duties of owners of land on which are abandoned wells.

Penalty for neglect.

Proviso.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 846.]

## AN ACT

To amend section 4031 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty hundred and thirty-one of the revised statutes of Ohio be amended to read as follows :

How enumeration of school youth taken.

Section 4031. Each person required or employed under this chapter to take such enumeration shall take an oath or affirmation to take the same accurately and truly to the best of his skill and ability. When making return thereof to the proper officers, he shall accompany the same with a list of the names of all the youth so enumerated, noting the age of each, and with his affidavit duly certified that he has taken and returned the enumeration accurately and truly to the best of his knowledge and belief, and that such list contains the names of all the youth so enumerated and none others. The officers to whom such return is required to be made, may administer such oath or affirmation and take and certify such affidavit, and shall keep in his office for the period of five years such report and list of names, and each person so taking and returning the enumeration shall be allowed by the proper board of education reasonable compensation for his services, which in sub-districts shall not exceed two dollars for each person authorized, required or appointed to perform the service.

Compensation for same.

SEC. 2. That section 4031 of the revised statute be repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 922.]

## AN ACT

To amend section 4643 of the revised statutes of Ohio

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four thousand six hundred and forty-three of the revised statutes of Ohio be so amended as to read as follows :

When road viewers fail to perform duty a new order may issue.

Section 4643. If the viewers fail to proceed on the day named in the order, or within five days thereafter, so that said duty shall not be performed and reported to the commissioners at their regular or special session next after such order was made, the commissioners may at such next regular or special session issue a new order and appoint new viewers, who shall be by such order required to perform the



same duties as required of said original viewers under the original order, or the commissioners may make such other order in the premises as to them may seem proper.

SEC. 2. That said original section 4643 be and the same is hereby repealed; and this act shall take effect upon its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 982.]

#### AN ACT

To authorize a special term of the district court in the tenth judicial district of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That a special term of the district court of the tenth judicial district of Ohio, is hereby authorized and directed to be held at Marysville, in Union county, Ohio, beginning on the ninth day of July, 1883.

Special term  
of district  
court for  
10th judicial  
district.

SEC. 2. This act to take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 812.]

#### AN ACT

Authorizing the conveyance of lands held under leases from the Ohio University.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the owners of lands or town lots held under leases from the president and trustees of the Ohio University, or held under sale-leases or assignments by or under the original lessees, may pay to the treasurer for the time being, of said university, such sum of money, as being put at interest at six per cent., will yield the amount of rent reserved in the original lease, or in case of a division of the original tract or parcel leased, will equal the proper aliquot part thereof, or

Providing  
for sale of  
certain  
university  
lands.

the part agreed upon by the several owners; providing, that such person so surrendering and releasing to said corporation shall pay the necessary expenses incident to such change of tenure, and procure the services of an agent to perform the necessary labor thereof; and upon payment of such sum and of all rents due upon the land, the treasurer aforesaid shall, on demand of such owner, give him a certificate of such payment.

Owner to receive deed; form of.

SEC. 2. That such owner, upon such payment, shall be entitled to receive a deed of conveyance for such land by him owned, to be signed by the president of said corporation, counter-signed by its secretary, and sealed with the corporate seal of the university, conveying the premises in fee simple to such owner, or such owner may, at his option, demand and receive a certificate as aforesaid; and the governor of Ohio, upon presentation thereof, shall execute and deliver to such owner, a deed in due form of law conveying the premises in fee simple to such owner.

Validity of such deed.

SEC. 3. That either of such deeds, so made, shall have the effect in law and in fact to vest in the grantee an absolute estate in fee simple in the premises, subject, however, to all liens, equities, or rights of third persons in, to or upon the premises.

Registry of deed, etc., to be kept.

SEC. 4. It shall be the duty of such secretary to keep an accurate registry of all such payments, certificates and deeds, with an accurate description of the tract or lot of land so paid for or deeded; and thereafter, the land so deeded shall be subject to taxation, in like manner as other freehold estates in said county; and the original leases therefor, in so far as regards the land so deeded, shall cease to have force or effect.

Proceeds to be deposited in state treasury and become irreducible trust fund.

SEC. 5. That it shall be the duty of the treasurer of the Ohio university, on or before the first day of January next, after said receipt of money, to deposit the same in the state treasury upon the certificate of the state auditor, and the sums so deposited shall be added to the irreducible trust funds held by the state for educational purposes, and interest thereon shall be paid semi-annually to the treasurer of said university, upon the requisition of the state auditor.

SEC. 6. That the act entitled "an act authorizing the conveyance in fee simple of lands held under leases, from the Ohio university", passed April 29, 1854, be and the same is hereby repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 911.]

## AN ACT

For the more effective protection of persons dealing in timber.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any person, firm or corporation, dealing in timber in any form shall be called and known as "timber dealers", and as such may adopt a trade-mark in the manner and with the effect hereinafter provided. Timber dealers may adopt a trade-mark.

SEC. 2. Every dealer desiring to adopt such a "trade-mark" may do so by the execution of a writing in form and effect as follows :

## TRADE-MARK.

Notice is hereby given that I, or we, &c., as the case may be, have adopted the following trade-mark, to be used in my, or our, business as timber dealers, to-wit: (Here insert the letters, words or figures, &c., constituting the trade-mark, or if it be any device other than words, letters or figures, &c., insert a fac-simile thereof.) Dated this — day of —, eighteen —. A —, B —. Application for.

The said writing shall be acknowledged or proved for record in the same manner as deeds are acknowledged or proved, and shall be recorded in the office of the clerk of the county court of the county in which the principal office or place of business of such timber dealers may be, and also in the office of secretary of state, and a copy thereof shall be published at least once in each week for four successive weeks in some newspaper printed in such county, or, if there be no such paper printed therein, then in some newspaper of general circulation in such county. To be acknowledged and recorded.

SEC. 3. Every trade-mark so adopted shall, from the date thereof, be the exclusive property of the person, firm or corporation adopting the same, and any other person, firm or corporation knowingly using or attempting to use such trade-mark without the written consent of the proprietor thereof, shall be guilty of a misdemeanor, and fined not less than twenty nor more than two hundred dollars for each offense, and shall moreover, be liable to the proprietor of such trade-mark for all damages sustained by such proprietor by reason of such use of such trade-mark. Trade-mark exclusive property of owner.

SEC. 4. The proprietor of such trade-mark shall, in using the same, cause it to be plainly stamped, branded or otherwise impressed upon each piece of timber upon which the same is placed; provided, however, that on the sale of lumber and on the request of the purchaser the dealer or owner of the trade-mark shall remove or cancel the same, and any person who shall intentionally and without lawful authority remove, deface or destroy said trade-mark, shall be guilty of a misdemeanor, and subject to all pains and penalties and liable to the same damages as are provided for in the next preceding section. To be stamped on each piece of timber.  
Penalty for using without consent.  
Proviso.  
Penalty for removing without authority.

**Larceny to unlawfully take or carry away timber so stamped.**

**SEC. 5.** If any person knowingly and unlawfully take and carry away, secrete, destroy or convert to his own use any timber upon which said trade-mark is stamped, branded or impressed as aforesaid, he shall be deemed guilty of larceny thereof, and punished as in other cases; and if any person shall intentionally put any such timber in such a position or place so remote from the stream from which it was taken or on which it was afloat as to render it inconvenient or unnecessarily expensive to replace the same in such stream, he shall be guilty of a misdemeanor, and fined not less than twenty dollars.

**Compensation for securing timber found adrift.**

**SEC. 6.** Every person who shall take up and secure any saw-logs or trees prepared for the purpose of sale, or any cross or railroad ties, boards, planks, staves, heading, or other timber prepared for market of another, found adrift in the Ohio river and the rivers and creeks within the state of Ohio, whether the same have thereon any such trade-mark or not, shall be entitled to receive from the owner thereof a compensation for so much thereof as he shall deliver to such owner, as follows: For each saw-log or other log or tree prepared for sale which is not more than thirty inches in diameter, twenty-five cents, and for all others fifty cents each. Except that the price for catching and securing oak logs that are not less than eighteen inches in diameter at the top and fifty feet or more in length, shall not exceed the sum of seventy-five cents each. For each cross or railroad tie, six cents. For boards or planks, if caught in rafts or large bodies, fifty cents per thousand feet, board measure; for twenty thousand feet, or a less quantity, and over twenty thousand feet, twenty-five cents per thousand feet, board measure, but if the same be not in rafts, but loose and scattered, two dollars and fifty cents per thousand feet, board measure; and for staves and heading, three dollars per thousand for all such as are marketable, to be paid by the owner thereof, if required, before the delivery of the same to him.

**May be sold if owner does not pay charges.**

If the owner of any such logs, trees, ties, boards, plank, staves or headings fail to pay the sums so chargeable thereon within sixty days from the day they are so taken up, they may be sold at the instance of the person to whom such charges are due, by a constable or the sheriff of the county, at public auction to the highest bidder, upon thirty days' notice posted on the front door of the court house of the county in which the sale is to be made, and at the place of sale thereof, the officer making said sale shall, from proceeds thereof, pay to the person who took up said logs, trees, ties, boards, plank, staves or headings the sum to which he is entitled therefor as aforesaid, and retain the balance, after deducting his commissions (which shall be the same as upon sales under execution), for the use of the owners, but if no person shall appear and establish his right to such proceeds within one year after such sale, he shall place the same to the credit of the distributable school fund of his county, and report the amount thereof to the county auditor.

**Proceeds of sale; how disposed of.**

SEC. 7. In any action, suit or contest in which the title to any timber shall come in question, such trade-mark shall be prima facie evidence that such timber was the property of the proprietor of such trade-mark, in the absence of proof to the contrary. And any person who shall falsely or fraudulently place any trade-mark on timber not the property of the proprietor thereof, shall be guilty of a misdemeanor, and fined not less than one hundred nor more than five hundred dollars, or imprisoned not less than one nor more than twelve months for each and every offense.

Trade-mark evidence of ownership.

Penalty for fraudulently using same.

SEC. 9. (8.) This act to take effect and be in force on and after June 1, 1883.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 802.]

#### AN ACT

To amend section 3690 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section thirty-six hundred and ninety of the revised statutes of Ohio be amended to read as follows :

Section 3690. Every such association shall adopt such constitution and by-laws not inconsistent with the constitution and laws of this state or of the United States as will, in the judgment of its members, best subserve the interests and purposes of the association ; and all persons who sign such constitution shall be considered and held to be members of the association, and shall be held in law to comply with all the provisions and requirements of the association ; and the president or vice-president and secretary of every such association shall annually, on the first day of January, or within thirty days thereafter, prepare under oath and deposit in the office of the superintendent of insurance a statement of the condition of such association on the thirty-first day of December then next preceding, exhibiting such facts as are enumerated in section thirty-six hundred and fifty-four (3654), and applicable to such associations ; and such other information necessary to reveal the financial condition of such associations as the superintendent may require, in a printed form to be by him supplied to such association for that purpose, and every such association which fails to make and deposit such statement or to reply to any inquiry of the superintendent, shall be subject to a penalty of five hundred dollars, and an additional five hundred dollars for every month that it continues thereafter to transact any business of insurance.

Certain insurance companies must adopt constitution and by-laws.

Official statement to be made to superintendent of insurance.

SEC. 2. That original section 3690 be repealed; and this act shall be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 667.]

# AN ACT

To amend section 7136 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section seventy-one hundred and thirty-six of the revised statutes of Ohio be amended so as to read as follows :

When security for costs of prosecution may be required.

Section 7136. When the offense charged is a misdemeanor the magistrate may, before issuing the warrant, require the complainant, or if he considers the complainant wholly irresponsible, that he procure some person, to become bound for the costs in case the complaint be dismissed, and the complainant or other person shall acknowledge himself so bound, and the magistrate shall enter the acknowledgement on his docket, but no such bond shall be required of a sheriff, deputy sheriff, constable, marshal or deputy marshal, watchman or police officer, when in the discharge of their official duties.

No security required of certain officers.

SEC. 2. That sections 7136 of the revised statutes of Ohio be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 959.]

# AN ACT

To grant the right of way to the Cincinnati & Eastern Connection Railway Company through certain lands of the state.

Board of public works authorized to grant right of way.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works are hereby authorized to grant the right of way to the Cincinnati & Eastern Connection Railway Company for a single or double track railway across a certain strip of ground owned by the state of Ohio, situated in section twenty-one (21) Mill Creek township, Hamilton county, Ohio, upon such terms and conditions

and for such price as may be approved by the board of public works.

SEC. 2. This act to take effect and be in force on and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 939.]

AN ACT

To authorize the auditor of state to adjust and settle a claim herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of state is hereby authorized and empowered to adjust and settle, upon such terms as he may deem just and equitable, the claim for taxes now standing upon the tax duplicate of Jefferson county, against the heirs of Rassalus Castner, deceased, upon the south-west quarter of section one (1), range two (2), of Island Creek township, of said county.

Auditor of state to adjust certain tax claim.

SEC. 2. The auditor of Jefferson county is hereby directed to place the sum so found due, upon such adjustment, upon the tax duplicate of said county, to certify the same to the treasurer thereof, who is hereby directed to receive and receipt for the same in full of all taxes upon said land now standing upon said duplicate; provided, said sum be paid within sixty (60) days after the date of such adjustment.

Duty of auditor of Jefferson county.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

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[House Bill No. 694.]

AN ACT

Supplementary to "an act to provide for the completion of volume V., Geology of Ohio", passed April 17, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time fixed for the completion, revision and preparation of Volume V., Geology of Ohio, provided for in the act to which this is supplementary, be extended to September 1, 1883, and it shall be the duty of the chief geologist, after the completion of said volume, to superintend the printing and proof-reading of the same.

Extending the time for completing Vol. V., Geology.

Number of  
copies to be  
printed.

SEC. 2. There shall be printed of said Volume V., under the contract for state printing, ten thousand copies, including such maps and illustrations as shall be directed by the chief geologist, and these copies shall be bound in the same style as the volumes of the series already published.

Distribution  
of.

SEC. 3. Of the copies of Volume V. that are published, the following distribution shall be made, viz.:

To the state library, five hundred copies.

To the chief geologist and his assistants, two hundred copies.

To each state officer and to each state institution, one copy.

To be deposited with the secretary of state, to be sold at cost of publication under such regulations as he may establish, one thousand copies.

The remainder to be equally divided among the members of the sixty-fifth general assembly.

Appropriation  
for.

SEC. 4. For the completion of the field and chemical work of the survey, for the revision and preparation of the manuscript for said Volume V., for the engraving and printing of suitable maps and illustrations, and for superintending the publication and proof-reading of said volume, there is hereby appropriated from the general revenue fund the sum of nine thousand and five hundred dollars (\$9,500); for paper, the sum of two thousand six hundred dollars (\$2,600); for printing, the sum of twelve hundred dollars (\$1,200); and for binding, the sum of two thousand dollars (\$2,000).

SEC. 5. Upon the publication of said Volume V., the geological survey of Ohio is hereby declared to be completed.

SEC. 6. This act shall take effect on its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[House Bill No. 921.]

#### AN ACT

Supplementary to section 4567 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to section forty-five hundred and sixty-seven of the revised statutes of Ohio, with sectional numbering as follows:

County commissioners  
may remove  
certain mill-  
dams as a  
sanitary  
measure.

Section 4567a. The county commissioners of any county may, whenever in their opinion the same will be conducive to the public health, convenience or welfare, upon petition of the owners of any lands adjoining or adjacent to any stream of living water, remove or cause to be removed any mill-dam or mill-dams that may hinder the free passage of water in the natural channel of such stream.



Section 4567b. All applications by the owners of lands adjoining or adjacent to any such stream shall be by filing with the county auditor a petition signed by all of said owners, stating the necessity for such improvement and the removal of said mill-dam or mill-dams, together with a sufficient bond with sureties to the acceptance of the county auditor, conditioned to pay all expenses incurred in case the county commissioners refuse to grant the prayer of the petition; and thereupon the county auditor shall give notice to the commissioners of the filing and pendency of the petition, and the commissioners shall immediately designate a time and place when and where they will meet to hear the petition, and complete their proceedings thereon; and the principal petitioner shall cause notice, in writing, to be given to the owners of each of said tracts of land sought to be affected by said proceedings, of the filing and pendency and time of hearing of the petition, which notice shall be served not less than ten days before the day fixed for hearing thereof, and said original notice, duly verified, shall be filed with said auditor on or before said day of hearing. On the day set for the hearing, if it appear to the commissioners that any person who is interested in such improvement, and in the removal of said mill-dam or mill-dams, has not been duly notified, as required by the preceding section, or that any requisite preliminary steps have not been taken, they shall adjourn said hearing to some future time, not exceeding twenty days, and shall order such notice to be given, or such preliminary steps to be taken.

Section 4567c. If the commissioners find that the bond has been filed and notice given, they shall proceed to hear and determine the petition, and shall proceed to view the premises along the proposed improvement and the lands of the petitioners affected by said mill-dam or mill-dams, and if they find that such improvement and removal of said mill-dam or mill-dams will be conducive to the public health, convenience or welfare, they shall at once proceed to negotiate with and purchase of the owner or owners of such mill-dam or mill-dams, all rights, title and interest they may have to or in the same, and all franchises pertaining thereto, receiving thereby the absolute right to remove the same for the free passage of water in the channel of such stream. Said purchase to be made upon such terms and for such price as may seem reasonable and just to said commissioners; at the same time said commissioners shall take with them a competent surveyor or engineer, who shall make a careful estimate of the necessary cost of removing said mill-dam or mill-dams for the free passage of water in the channel of such stream. Said commissioners shall fix a day for further hearing, and order that due notice be served in writing by the principal petitioner upon each and every one of said petitioners of the time and place of said hearing. If, on said hearing, it appears to the commissioners that the notice herein provided for has not been given, the commissioners shall adjourn to some future time, not exceeding twenty

Applications for; how made.

Bond.

Duty of county auditor.

Principal petitioner to give notice.

When hearing must be adjourned.

If found conducive to public health, commissioners shall proceed to purchase.

Estimate of cost of removing mill-dam.

days, and shall order such notice to be given. On the day fixed by the commissioners for final hearing, they shall meet at the time and place appointed, and shall then and there state and make known to the petitioners the amount asked by the owner or owners of such mill-dam or mill-dams of all their right, title and interest to and in the same and the franchises pertaining thereto, and for the right to remove the same so that the waters of such stream shall pass through without hindrance; and the necessary cost of removing said mill-dam or mill-dams, as estimated by said engineer or surveyor, together with all other taxable costs of the proceedings. And if, upon such statement, no objections be made thereto, by said petitioners or either of them, said commissioners shall make a record thereof. Said commissioners shall then apportion to each of said petitioners, in a fair and equitable manner, according to the benefits to be derived therefrom, as nearly as can be done, all costs of the proceedings, as in county ditch cases, the amount asked by the owner or owners of said mill-dam or mill-dams, and agreed upon as above, and the amount of cost necessary to the removal of said mill-dam or mill-dams, as reported by the surveyor or engineer. The commissioners shall then order the said amounts to be placed upon the tax duplicates, against the real estate of said petitioners benefited by the removal of such dam, and to be collected within the time and to meet the payments as far as practicable, in conformity with the provisions of the county ditch law, agreed upon between said commissioners and said mill-dam owner or owners, adding to the first year's assessment the taxable costs of the proceedings, and the estimated costs of removing said mill-dam or mill-dams. Said assessment shall be collected the same as other assessments against real estate, and paid into the treasury of the county wherein said petitioners reside, and wherein said mill-dam or mill-dams are situated, and shall be paid out by the county treasurer on the warrant of the county auditor, who shall issue his warrants in accordance with the records and orders of the county commissioners. The surveyor or engineer appointed by the commissioners, shall sell at public outcry the work of removing such mill-dam or mill-dams, and supervise the same, as stated in sections forty-four hundred and seventy-five, forty-four hundred and seventy-six, forty-four hundred and seventy-seven and forty-four hundred and seventy-eight of the revised statutes of Ohio. From the action of said commissioners in apportioning the costs, expenses and assessments provided herein, there shall be no appeal.

All costs to be apportioned according to benefits.

To be taxed against real estate of petitioners.

Surveyor or engineer to sell work by public outcry.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 862.]

## AN ACT

Providing for the levy of an additional tax for general purposes in villages having a population of 1,268, by the last federal census.

[RIVERSIDE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village having a population of twelve hundred and sixty-eight by the last federal census, may levy, annually, one and one-half mills for general purposes; provided, the levy for all purposes shall not exceed in the aggregate the amount now authorized by law.

**Tax levy for general purposes in certain villages.**

SEC. 2. This act to take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 525.]

## • AN ACT

For cleaning out and keeping in repair public drains and water-courses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of any county in this state shall have power to clean out any ditch, drain or water-course within their respective counties as hereinafter provided.

**Commissioners empowered to clean out ditches, etc.**

SEC. 2. The provisions of this act shall apply only to ditches, drains or water-courses located, established and constructed by the county commissioners under the laws of this state.

**To what ditches, etc., this act applies.**

SEC. 3. Whenever a majority of the resident landowners whose lands are adjacent to, and will be taxed for the improvement contemplated in any such ditch, drain or water-course, shall sign a petition therefor setting forth the necessity for the cleaning out of any such ditch, and shall file the same with the county auditor, and shall also file a bond in amount and with sureties to the acceptance of the county auditor, conditioned to pay all costs and expenses caused by the hearing of said petition in case the prayer thereof shall not be granted; the county commissioners shall proceed, at their first regular or called session after the filing of said petition and bond, to hear and determine the question of granting the prayer of the petitioners, and if in their opinion the improvement prayed for is demanded, they shall so find and enter their findings upon the journal of their proceedings, and if said county commissioners shall find that the improvement prayed for is not demanded by, and will not be

**Proceedings when improvement contemplated.**

conducive to the public health, convenience and welfare, they shall not take any other or further action in the matter, and shall enter an order upon their journal requiring the bondsmen to pay the costs of said hearing.

**When  
prayer  
granted, tax  
to be levied  
according to  
benefits.**

SEC. 4. Whenever the county commissioners shall grant the prayer of the petitioners, they shall, at the same session, proceed to levy on each acre of land drained by the particular ditch, drain or water-course on which the improvement is prayed for in the petition, without regard to the valuation thereof, but according to the benefits to be derived from said improvements, a tax which in the aggregate will be sufficient to pay for such improvement and the cost connected therewith, and such commissioners shall each year thereafter, unless petitioned by a majority of the persons whose lands are taxed for that purpose to omit such tax for such year, proceed to levy a like tax upon such lands of such amount as may be necessary to clean out such ditch and pay the cost and expenses accruing under this act, and the amount of money collected from said levy, shall constitute a separate fund for each separate ditch improvement herein provided for, and shall be expended only for the purposes and in the manner herein provided.

**Levy to con-  
stitute sepa-  
rate fund.**

**Tax-payer to  
be appointed  
supervisor.**

SEC. 5. Whenever the county commissioners shall find the improvement prayed for in any case is demanded by and will be conducive to the public health, convenience and welfare, as in the manner hereinbefore provided, they shall appoint one of the tax-payers for said improvement to act as supervisor for said ditch, drain or water course.

**Supervisor  
to give bond.**

SEC. 6. Before entering upon his said duties, the supervisor shall give bond in such sum with such sureties as may be required and approved by the county commissioners, and conditioned for the faithful performance of his duties, and that he will faithfully and honestly keep and pay over all moneys that he may receive in his office of supervisor of said ditch.

**Work, how  
let.**

SEC. 7. It shall be the duty of said supervisor to let the work of cleaning out said ditch to the lowest responsible bidder, in sections of not exceeding one mile in length, and take a bond for the faithful completion of the work, and the work shall not be so let again by the supervisor, and he shall have power, whenever in his opinion the same is necessary, to enter upon any section of the work so let, when the same is not completed according to the contract, or the work is not proceeding satisfactorily, with men and teams and complete the same, and charge the expense of the same to the said contractor, which amount shall be deducted from the contract price and placed to the credit of the supervisor, and he shall likewise have power to enter upon any improved or unimproved lands drained by said ditch improvements at any time, for the purposes of this act; provided, that said supervisors shall give notice, written or printed, to landowners, who are resident, or whose address is known, at least six weeks before, that he intends, at such a time, to clean out said ditch; he shall also at the same time give like notice to

**Powers of  
supervisor.**

**To give  
notice to  
landowners.**

all non-resident landowners whose address is not known, by publication in a newspaper of general circulation in the county, for two consecutive weeks; said supervisor shall go over said ditch improvement at least once in the spring of the year, for the purpose of determining upon actual view the condition of the ditch, and shall, on sight or information at any other time of year, remove, or cause to be removed, all drift-wood, fallen timber, rails, crossings, water-gaps, or other obstructions which he may find in or upon said ditch, and which, in his opinion, does or may obstruct the free flow of water in said ditch, and the last above named improvements shall be made by said supervisor without notice to landowners, heretofore provided for, and all such obstructions so found in or upon said ditch, which the supervisor shall find were placed in or upon said ditch by the landowners upon whose lands said obstructions may be found, shall be removed by said supervisor at the expense of said landowners, and all obstructions found in said ditch, except those arising from the deposit of earth, sand and gravel, and the growth of grass and weeds and brush, and flood-wood, naturally, and without artificial obstructions to cause the same, shall be deemed and held to be placed there by the act of the owner of the land, and said landowner shall also be held for all acts and omissions of his tenants, pertaining to said ditch.

Shall view ditch once a year.

Certain improvements may be made without notice.

When landowner liable.

SEC. 8. Said supervisor shall keep a separate and exact account with each separate landowner along the line of his ditch whose lands are taxed as herein provided, and shall enter therein to each of said landowners the sum expended by him in removing the obstructions hereinbefore mentioned, and shall present to each of said landowners a true account of the sums so expended and demand payment thereof, and if payment is not made within thirty days, said supervisor shall report the same to the county auditor, who shall place the same upon the duplicate and collect as other taxes.

Accounts to be kept by supervisor.

SEC. 9. All moneys that may come into the hands of said supervisor from collections by suit or otherwise, shall be by him paid over to the county treasurer to the credit of the separate fund of the ditch of which he is the separate supervisor, and no moneys shall be paid out of said fund, except upon an account approved by said supervisor and upon an order of the county commissioners drawn in favor of the person or persons to whom the same is shown to be due, and upon the fund of the specified ditch, in the treasury.

Supervisor to pay all moneys to county treasurer.

SEC. 10. The said ditch supervisor shall annually report to the county commissioners his doings, including work done by him on ditches as herein provided, and moneys collected by him by suit or otherwise, and the condition of the ditch, and the number of acres of land drained by the same, and the necessity for any other or further improvements thereon, and said report shall be made by said supervisor at the first regular meeting of the county commissioners in January of each year; and it shall be the duty of the county commissioners at their first regular meeting in January, April, July

To report annually to county commissioners.

**Commissioners may remove supervisor.**

and October of each year, to hear any complaint in writing filed with the county auditor, and signed by three land-owners taxed for the ditch against any supervisor, and to remove any supervisor for any good cause and appoint another.

**Compensation of.**

SEC. 11. It shall be the duty of the county commissioners to allow to the said supervisor one dollar and fifty cents per day, for the time actually employed in supervising said improvement, but before any order shall be allowed, the said supervisor shall file an itemized account, showing the amount and nature of the work done by him each day or parts of days, and it shall be the duty of the county commissioners to reject any account or any item of an account so filed, if the charge be shown to be excessive.

SEC. 12. Nothing in this act shall operate to repeal, supersede or impair any existing statute or any provision thereof.

SEC. 13. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 849]

#### AN ACT

To authorize trustees to cause to be opened, enlarged, widened, altered or deepened, and walled up and protected, any sink-hole or fissure, break or opening in the earth or rock thereof, situate in their respective townships.

**Sink holes, fissures, &c., may be opened, enlarged, &c.**

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of any county and the trustees of any township may, as hereinafter provided, at any regular or called session of their respective boards, cause to be opened, enlarged, widened, altered, deepened and walled up and protected, any sink-hole or fissure, break or opening in the earth or rock thereof, situate in their respective county or township, that may be used as the outlet from any ditch, drain or water-course, whether such ditch, drain or water-course was located and constructed according to law, or otherwise, when the same is necessary to drain any lots, lands, public or corporate road or railroad, and is or will be conducive to the public health, convenience or welfare.

**Application for; how made.**

SEC. 2. Application for any such improvement shall be made to the commissioners of the county or to the trustees of the township, in writing, signed by one or more owners of lots or lands drained by such ditch, drain or water-course, into such sink-hole, fissure, break or opening in the earth or rock thereof, and shall be filed with the auditor of the county if to the commissioners, and with the township clerk if to

the trustees, and shall set forth the necessity of the improvement and describe the location of the sink-hole, fissure, break or opening in the earth or rock thereof, sought to be improved, and the route of the ditch, drain or water-course there terminating and emptying therein; and there shall be filed therewith a bond payable to the state, with at least two sufficient sureties, in not less than one hundred dollars, conditioned for the payment of all costs, if the prayer of the petition be not granted, or be dismissed for cause.

SEC. 3. If the bond be approved by the auditor or clerk, as the case may be, he shall immediately deliver a copy of the petition to the commissioners or trustees, as the case may be, who shall thereupon take to their assistance a competent surveyor or engineer, if in their opinion his services are necessary, and at once proceed to view the line of such ditch, drain or water-course, and the sink-hole, fissure, break or opening in the earth or rock thereof, sought to be improved, and determine by actual view whether the improvement is necessary or will be conducive to the public health, convenience or welfare; and they shall report their finding in writing, and the auditor or clerk, as the case may be, shall enter the same on their journal.

Commissioners or trustees to determine whether improvement necessary.

SEC. 4. If the finding be against the improvement, they shall dismiss the petition and proceedings at the costs of the petitioners; but if they find for the improvement, they shall cause to be entered on their journal an order directing the county surveyor or an engineer to go to the sink-hole, fissure, break or opening in the earth or the rock thereof, sought to be improved, and survey and level the same, and also survey and level the ditch, drain or water-course draining therein, and make a report, profile and plat of the same, and estimate the number of cubic yards of earth or other substance to be removed, and the costs per cubic yard, and the costs of walling up any excavation that may, in his opinion, be necessary to make; and they shall also, by their order, direct the surveyor or engineer to make and return a schedule of all lots and lands and public and private and corporate roads or railroads, the surface waters of which flow and drain into such ditch, drain or water-course, and are carried thereby to said sink-hole, fissure, break or opening in the earth or the rock thereof, and an estimate of the percentage of the costs and expense of making said improvement that should be assessed to each owner of land and public and private corporation and county and township by reason of the flow of water as aforesaid, of the whole amount of the costs and expense necessary to make said improvement, and such surveyor or engineer shall file said plat, profile and estimates and report with the auditor or clerk, as the case may be, within twenty days of the date of said order.

Proceedings if finding for or against.

Report, estimate and plat to be filed by engineer.

SEC. 5. Upon the filing of the report of the surveyor or engineer, the auditor or clerk, as the case may be, shall, without delay, fix a day for the hearing of the same; he shall prepare and deliver to the petitioners, or any one of them, a notice in writing, directed to the resident lot or

Auditor or clerk to fix day for hearing, and give notice of.

landowners, and the authorities of municipal or private corporations affected by the improvement, setting forth the pendency, substance and prayer of the petition, together with a tabular statement of the percentage of the whole costs and expenses that should be assessed to each owner of land and public and private corporation, as reported by the surveyor or engineer, a copy of which notice shall be served upon each lot or landowner, and upon an officer or agent of such private corporation, and upon each member of the board of commissioners or trustees of townships, at least eight days before the day set for such hearing, and the person who makes such service, shall return the same to the auditor or clerk, on or before the day set for hearing, and return his doings thereunder, under oath, and the auditor or clerk, as the case may be, shall at the same time give like notice to each non-resident of the county, lot or landowner, by publication in a newspaper printed and of general circulation in the county, for at least two consecutive weeks before the day set for the hearing, which notice shall be verified by the affidavit of the printer or other person knowing the fact, and filed with the auditor or clerk, as the case may be, on or before that day.

Notice to  
non-resident  
by publica-  
tion.

SEC. 6. When the improvement will benefit any public or corporate road, or if the water from any such road will drain therein, there shall be assessed to the county, if a county road, state road or free turnpike, to the township of (if) a township road, or to a corporation if a corporation road or railroad, a proper share and percentage of the whole costs and expense thereof.

Public or  
corporate  
road to be  
assessed if  
benefited.

SEC. 7. The county commissioners, in case the proceeding is before the commissioners, shall meet at the auditor's office on the day fixed for the hearing by the auditor, and in case the proceeding be before the township trustees, then said trustees shall meet at the office of the township clerk on the day fixed for the hearing by the clerk, and shall first determine whether the required notice has been given; if they find that due notice has not been given, they shall continue the hearing to a day to be fixed by them and order the notices to be served as hereinbefore provided, and when they find that due notice has been given, they shall examine the report of the surveyor or engineer and the apportionment by him made, and if it is in all respects fair and just, they shall approve and confirm the same.

Meeting for  
hearing.

Proceedings.

SEC. 8. If the commissioners or trustees, as the case may be, find that the apportionment reported by the surveyor or engineer is unfair and unjust and ought not to be confirmed, they shall so order and amend it as to make it fair and just; and if in their opinion it is necessary, they may adjourn the further hearing not exceeding twenty days, to a day to be fixed by them, and go upon the premises and, by actual view, apportion the entire costs of location and excavation and construction or any part thereof, as may seem just and proper, and on the day so fixed they shall again meet and determine the apportionment.

Report of  
engineer  
may be  
amended.

May adjourn  
hearing.



**SEC. 9** All lots and lands and public and private roads and railroads shall be assessed in accordance with benefits, and if the surface water from the same flow into such sink-hole, fissure, break or opening in the earth, or the rock thereof, through any ditch, drain or water-course or natural channel, the same shall be considered benefited by such improvement, and shall be assessed therefor.

**Assessments according to benefits.**

**SEC. 10.** Application for compensation and damages may be made, and if made in proceedings before the commissioners, like proceedings shall be had thereon as are had in proceedings before them in the location and establishment of ditches, drains and water-courses, and shall be governed by the laws then in force governing such proceedings, and if made in proceedings before the township trustees, like proceedings shall be had thereon as are had in proceedings before them in the location and establishment of ditches, drains and water-courses, and shall be governed by the laws then in force governing such proceedings.

**Compensation and damages.**

**SEC. 11.** In cases where appeals have been taken after the transcript of the proceedings before the probate judge, and all other papers in the case are returned to the auditor's office or clerk's office, as the case may be, the commissioners or trustees, as the case may be, shall cause such entry to be made on their journal as may be necessary to give effect to the verdict and findings of the jury, and as such cases and in cases where no appeals have been taken, they shall fix a time for the sale of the construction and excavation of the improvement and walling up the same at public outcry, and shall cause notice to be given of the time and place of sale, and direct the surveyor or engineer, or other competent person, to attend at the time and place of sale to superintend and conduct the same, who shall receive all bids and make contract with the lowest responsible bidder, and take good and sufficient bonds for the labor of constructing and excavating the improvement; all contracts to be let by the cubic yard for excavating, and by the perch for masonry, and no contract shall be entertained which exceeds the estimated value as reported by the surveyor or engineer; and the person so conducting said sale shall immediately deliver all bonds and contracts taken by him to the auditor or clerk, as the case may be, which contracts and bonds shall first be approved by the commissioners or trustees, as the case may be, before they become binding upon them; and the contractor shall be liable on his bond so given for all delays after the expiration of the time named therein for the completion of his job, and for all the payment of all damages which accrue by reason of the failure to complete the job within the time required by the contract therefor.

**Proceedings in case of appeal.**

**Public sale of work.**

**Contracts and bonds.**

**SEC. 12.** The work shall be done under the supervision of a competent surveyor or engineer, who shall give to the contractor a certificate therefor when completed, showing the amount which the contractor is entitled to be paid by the

**Work; how done and paid for.**

terms of his contract, and the auditor or clerk, as the case may be, shall, upon presentation of said certificate, draw his warrant upon the treasurer of the county, if the proceedings were before the commissioners, and upon the treasurer of the township, if before the trustees, for the amount, and the treasurer shall pay the same out of any funds in the treasury applicable to such purpose.

Proceedings  
when con-  
tract not  
complied  
with.

SEC. 13. A job not completed within the time fixed in the contract and bond may be re-estimated by the surveyor or engineer and resold by him to the lowest responsible bidder, or he may complete it at the expense of the contractor and his bondsmen, but such job shall not be resold for a greater sum than such estimate or re-estimate, nor a second time to the same party; a contract and bond shall be entered into as hereinbefore provided, but the commissioners or trustees, as the case may be, may, for good cause, give further time to the contractor, not exceeding sixty days; the surveyor or engineer shall fix the time for the completion of the work resold, not exceeding sixty days from date of bond. A person or corporation who has sustained damages in consequence of such work, may bring suit for such damages in any court of competent jurisdiction against any contractor failing to perform his contract, and recover damages as provided by law in other cases.

Compensa-  
tion and  
damages;  
how as-  
sessed.

SEC. 14. When the work is let as hereinbefore provided, and the costs and expenses of location and construction and excavation and all compensation and damages are ascertained, the commissioners or trustees, as the case may be, shall meet and determine at what time and in what number of assessments they will require the same to be paid, and order that the assessments so made by them be placed by the auditor of the county on the duplicate accordingly against all lots or lands or corporate roads or railroads assessed; they shall also determine whether they shall issue bonds of the county or township, as the case may be, to raise the money necessary to pay such costs and expenses, and, if they so determine, they may issue such bonds, and the same shall be issued for a term of years, not exceeding ten, at a rate of interest not exceeding six per centum per annum, payable semi-annually, and they shall cause an entry to be made on their journal, setting forth their finding and determination under this section.

Bonds.

Tax; how  
collected  
and account-  
ed for.

SEC. 15. When the commissioners or trustees, as the case may be, make an assessment, they shall cause an entry to be made on their journal, a certified copy of which they shall at once deliver to the auditor of the county, directing him to make and furnish to the treasurer of the county a special duplicate with the assessments arranged thereon, as required by their order, and the auditor shall retain a copy thereof in his office, and all assessments shall be collected and accounted for by the treasurer as taxes; provided, that if the same are not paid in one year they shall be placed upon the general duplicate for collection as delinquent taxes. All collections of money made by the county treasurer on

account of assessments made by township trustees, shall be paid by him to the treasurer of the township on demand.

SEC. 16. The collection of taxes or assessments levied or assessed, or ordered to be levied or assessed, to pay for the expenses of any improvement provided for in this act, shall not be perpetually enjoined or declared absolutely void in consequence of any error committed by the engineer or surveyor, or county treasurer or township treasurer, in the proceedings in this act, authorized for by reason of any error or merely technical informality appearing in the petition or record of the proceedings, or by reason of any want of notice hereinbefore provided for.

Levy not  
void for  
error.

SEC. 17. If the commissioners or trustees, as the case may be, determine to issue the bonds of the county or township, as the case may be, for the necessary money to meet the expenses of the construction of any improvement herein authorized and provided for, they shall make an assessment upon all lots, lands, public or corporate roads or railroads benefited by the improvement; or the surface waters of which flow and drain into such sink-hole, fissure, break or opening in the earth or rock thereof, in proportion to the apportionment herein provided for, sufficient to pay all the costs and first-year interest, and including the fees of the surveyor or engineer, made after location, in superintending the construction of the improvement, and order the same placed on the duplicate for collection as hereinbefore provided, and they shall thereafter make such assessments as may be required to raise the money for prompt payment of such bonds. All bonds issued by the commissioners shall be signed by them and countersigned by the auditor, who shall affix his seal thereto, and all bonds issued by the trustees shall be signed by them and countersigned by the township clerk, and no bond shall be sold for less than its par value; and the money arising therefrom shall be used for no other purpose than the construction and expense of said improvement.

When bonds  
issue, assess-  
ment for  
costs and in-  
terest must  
be made.

Form of  
bond.

SEC. 18. If the ditch, drain or water-course, the outlet of which is such sink-hole, fissure, break or opening in the earth or rock thereof, is situated in more than one county, the application shall be made to the commissioners of each of such counties, and the surveyors or engineers of each county shall make a report for each county. A majority of the commissioners of each county, when in joint session, shall be competent to find in favor of or against said improvement, and to do anything authorized by this act, but no commissioner or trustee shall serve in any case in which he is personally interested, and any two commissioners or any two trustees, as the case may be, may form a quorum for the transaction of business under this act for their respective county or township.

Proceedings  
when ditch,  
drain, etc., is  
situate in  
more than  
one county.

SEC. 19. If an engineer, or auditor, clerk, trustee, or commissioner or probate judge, neglect or refuse to perform any duty imposed upon him by the provisions of this act, he shall forfeit and pay a fine of twenty-five dollars for every

Penalty for  
failure to  
perform  
duty.

such neglect, to be recovered before any officer having jurisdiction, in the name of the state, for the benefit of the common schools of the county, at the suit of the party aggrieved thereby.

**May provide  
for cleaning  
ditch, drain,  
or water-  
course.**

SEC. 20. The commissioners of the county or the trustees of the township, as the case may be, may hear and determine under the same petition, the necessity of cleaning out any ditch, drain or water-course, the outlet of which is such sink-hole, fissure, break or opening in the earth or rock thereof, sought to be improved, as the necessity of the case requires, and shall order such entry to be made in their journal as in their judgment is required. All estimates, either by the surveyor or engineer, or commissioners or trustees, shall be made in the manner provided in this act.

**Fees for ser-  
vices, etc.**

SEC. 21. The fees for services rendered by county or township officers under this act shall be the same as those allowed by statute for like services in ditch cases, and the auditor or clerk, as the case may be, shall keep a complete record, in a journal to be provided for that purpose, of all proceedings under this act before their respective board of commissioners or trustees.

SEC. 22. That this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 274.]

#### AN ACT

To amend sections 110, 112, 113 and 122 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections one hundred and ten, one hundred and twelve, one hundred and thirteen, one hundred and eighteen [?] and one hundred and twenty-two of the revised statutes be so amended as to read as follows:

**Appoint-  
ment of no-  
taries public.**

**Governor  
may revoke  
commission.**

Section 110. The governor may appoint and commission as notaries public as many persons, having the qualifications of electors, who are citizens of this state, residing in the several counties for which they are appointed, as he may deem necessary; and the governor shall have the authority to revoke any commission issued to any notary upon the presentation of satisfactory evidence of official misconduct or incapacity; but before making any such appointment, each applicant shall produce to the governor a certificate from a judge of the court of common pleas or supreme court residing in the same county or district, that the applicant is of good moral character, a citizen of the county in which he

resides, and possessed of sufficient qualifications and ability to discharge the duties of the office of notary public; but no such judge shall issue such certificate until he is satisfied from his personal knowledge that such applicant possesses a requisite knowledge to a proper discharge of the duties of such office, and in case of a want of such knowledge, then not until such applicant has passed an examination showing that he possesses such knowledge under such rules and regulations as such judge shall prescribe.

Section 112. Each notary public so appointed and commissioned shall hold his office for the term of three years (if so long he behave well), unless his commission shall be revoked, and before entering upon the duties of his office he shall give bond to the state of Ohio in the sum of fifteen hundred dollars, with sureties to be approved by the governor, conditioned for the faithful discharge of the duties of the office, a copy of which bond shall be filed in the office of the clerk of court of common pleas, and he shall take and subscribe an oath of office to be endorsed on his commission.

Term of office, bond, etc.

Section 113. Before entering upon the discharge of his duties he shall provide himself with an official seal, as the same is prescribed by law; he shall also provide himself with an official register, in which shall be recorded a copy of every certificate of protest, and copy of note; such seal and record shall be exempt from execution; and upon the death, expiration of office without re-appointment, or removal from office of any notary public, his official register shall be deposited in the office of the recorder of the county for which such notary was appointed.

Notary to provide a seal and register.

Section 122. Any person appointed notary public, who performs any act as such after the expiration of his term of office, knowing that his term has expired, shall forfeit any sum not exceeding five hundred dollars, to be recovered by an action in the name of the state, and this act shall render such notary ineligible to re-appointment.

Penalty for performing official acts after expiration of term.

SEC. 2. Sections 110, 112, 113, and 122 of the revised statutes are hereby repealed; and this act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 334]

#### AN ACT

To amend an act entitled "an act to grant the right of way through the lands of the Central Insane Asylum at Columbus to Columbus and Maysville railroad company.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That on the payment into the state treasury by the Columbus and Maysville railroad company of not less than the sum of four hundred dollars (\$400) per acre, for certain

Sale of certain state lands authorized.

tracts of land, and upon the execution of a contract by said company in accordance with section two (2) of this act, the governor be and he is hereby authorized and required, by proper deed, to convey in fee, subject to the right of way across the grounds and track as provided in section two (2) of this act, to the said Columbus and Maysville railroad company and its assigns, the tracts of land described as follows: Situated in Franklin county, Ohio, beginning on the east line of the old state quarry track [tract] fifty feet north of the center line of the Columbus and Xenia railroad as now constructed, and running in a northerly direction to the Cincinnati, Springfield and Columbus railroad, as now constructed, thence running in a course south of west, in a direct line parallel to the said Cincinnati, Springfield and Columbus railroad to the north line of the right of way of the Columbus and Xenia railroad to the place of beginning, said tract containing five acres, more or less, said parcel of land being a part of the old state quarry tract; and also a strip of land in said Franklin county, Ohio, not exceeding one hundred feet wide, beginning fifty feet south of the center line of the Columbus and Xenia railroad, as now constructed, and thence running by a course parallel to the said Cincinnati, Springfield and Columbus railroad to a point in the west line of the lands of the Columbus asylum for the insane, containing one acre, more or less, the quantity in each case to be ascertained by actual measurement; provided, that if the governor shall think it the interest of the state not to convey the said five acres, he shall convey only so much of it as is necessary for the right of way of said railroad.

**Railroad company to construct and maintain switch to asylum.**

**To maintain platforms for passengers and freight.**

**Rate of freight, etc.**

SEC. 2 That the trustees of the Columbus asylum for the insane be and they are hereby directed to designate a route for the location of a railroad switch from the said Columbus and Maysville railroad track to the gas factory of said asylum, and the Columbus and Maysville railroad company shall construct and maintain said switch for the suitable delivery of freights on said track. The Columbus and Maysville railroad company shall construct and maintain suitable platforms and station on their main line for freight and passengers at such point on the said asylum grounds as may be designated by the trustees of said asylum, and in consideration of the said Columbus and Maysville railroad company constructing and maintaining said switches and station, the right of way for said switch and station is hereby granted to said railroad company without further consideration; and in further consideration of said right of way, the said Columbus and Maysville railroad company shall deliver all heavy freights, in car load lots, from the city of Columbus on said switch as may be directed by the asylum trustees, at a rate not exceeding fifteen cents per ton, and the company shall be at all expense of transfer from other roads at Columbus, and the stone and coal delivered on said switch under this contract, shall be unloaded into the gas house or in chutes

for re-loading into wagons. The right of way herein granted shall continue only so long as the stipulations herein named are faithfully complied with on the part of said Columbus and Maysville railroad company, and the state reserves to itself the right of way at such point as the asylum trustees may determine, across the track and grounds of said railroad company free of charge, for the purpose of constructing a switch to any other railroad, and the state reserves the right to make arrangements with any other road to deliver freights whenever it is in the interest of the state to do so; provided, if said Columbus and Maysville railroad company fails to complete its line of road in two years from the passage of this act, this contract shall be null and void.

Rights reserved.

SEC. 3. The act entitled an act "To grant the right of way through the lands of the Central Insane Asylum, at Columbus, to Columbus and Maysville Railroad Company," passed April 20, A. D. 1881, is hereby repealed.

SEC. 4. This act shall be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 343.]

#### AN ACT

To authorize the Board of Public Works to grant the right of way to the Cincinnati, Hocking Valley & Huntington railway on the berme bank of canal from a point near Yellow Bud to Marfield's mill.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works are hereby authorized to grant upon such terms and conditions, as to annual rental, not less than the annual average of toll received from the local traffic on that part of the canal between Yellow Bud and the city of Chillicothe, for the five years preceding the passage of this act, or otherwise, as in their judgment will subserve the best interests of the state, the right of way to the Cincinnati, Hocking valley and Huntington railroad company, or its successors or assigns, to construct, maintain and operate a railway on the berme bank of the Ohio canal, and to construct the necessary bridges across the same, from a point between the village of Yellow Bud, in Ross county, and what is known as the Deer Creek aqueduct, thence southwardly to the Marfield's mill; the same shall be constructed so as to not in any manner interfere with the navigation or use of the canal. Provided, that the said railroad company shall forever maintain, to the acceptance of the board of public works, a good and substantial berme bank

Board of public works authorized to grant portion of berme bank of Ohio canal for railway.

Proviso.

Rights re-  
served.

May deflect  
line of road.

along that part occupied by said railroad. This act shall not be construed to grant any exclusive right of way or privilege to the use of said lands to said railway company, and the right to grant similar privileges to other corporations is hereby reserved, and this act shall not be construed to abridge the rights of any person or persons for damages caused them by reason of building the road hereby authorized, and on failure of said railway company to fully complete said road to the Marfield's mill within two years from the date of the passage of this act, or upon failure of the road to fully comply with any of the provisions of this act, and also of any contract made with the board of public works on behalf of the state, this grant shall be null and void, and nothing herein contained shall prevent the levying and collection of taxes on said part of said road in the same manner as they are by law levied and collected on other railroad property in this state. It is further provided, that the board of public works may allow said railroad company to deflect their line to the east, from the north to the south end of what is known as the big basin.

SEC. 2. This act shall take effect on its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 289.]

#### AN ACT

Supplementary to section 5339 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to the above section of the revised statutes of Ohio, with sectional numbering as herein provided :

Court may  
order gen-  
eral index  
when none  
has been  
made.

Fees for.

Section 5339a. In any county where a sufficient general index has not at any time heretofore been made, an index, such as is required by said original section may be made by the clerk, to be appointed by the court of common pleas of such county, if said court is of the opinion that the same is needed, and it orders the same to be made. Application for such order, specifying the period of time such index is designed to cover, may be made by the clerk of said court. The clerk making such index shall receive the same fees for making the same as is now provided by law for making indices to judgments, to be paid out of the county treasury in the same manner as the fees specified in section twelve hundred and sixty-one.



SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 323.]

# AN ACT

To amend section 4010 of the revised statutes of Ohio, relative to the establishment of schools in Children's Homes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty hundred and ten of the revised statutes of Ohio be amended to read as follows :

Section 4010. The board of any district in which a children's home or orphans' asylum is or may be established by law, or in which a county infirmary is or may be established, shall, when requested by the board of trustees of such children's home, orphans' asylum or the directors of such infirmary, establish in such home, asylum or infirmary a separate school, so as to afford to the children therein, as far as practicable, the advantages and privileges of a common school education; such schools at infirmaries shall be continued in operation each year until the full share of all the school funds of the district belonging to such children, on the basis of the enumeration, is expended, and at such homes and asylums not less than forty-four weeks, if the distributive share of school funds to which such school at any such home or asylum is entitled by the enumeration of children in the institution is not sufficient to continue the schools the length of time hereby required, the deficiency shall be paid out of the funds of the institution; all schools so established in any such home, asylum or infirmary, shall be under the control and management of the respective boards of trustees or directors of such institution, which boards of trustees or directors shall, in the control and management of such schools, as far as practicable, be subject to the same laws that boards of education and other school officers are, who have charge of the common schools of such district; in the establishment of such schools the commissioners of the county in which such children's home, orphans' asylum or county infirmary is established, shall provide the necessary school-room or rooms, furniture, fuel, apparatus and books, the cost of which furniture, fuel, apparatus and books for the schools of such homes, infirmaries and asylums, shall be paid out of the funds provided for such institutions; and the board of education shall incur no expense in supporting such schools.

Schools at children's homes, orphans' asylums and infirmaries; how sustained.

To be under control of trustees of institution.

SEC. 2. Original section forty hundred and ten is hereby repealed.

SEC. 3. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 364.]

AN ACT

To amend section 1416 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fourteen hundred and sixteen of the revised statutes be and the same is amended so as to read as follows:

Certain in-  
formal leases  
of school  
lands made  
valid.

Section 1416. That all leases of school-lands made by the trustees of the original surveyed townships, or by the county commissioners of any county, before the first day of June, in the year one thousand eight hundred and thirty-one, although not acknowledged before any officer authorized to take the acknowledgment of deeds or other instruments in writing for the conveyance, lease or incumbrance of lands, shall nevertheless, between the lessors and lessees, their grantees, heirs and assigns, be held valid to the same extent and for the same purposes that they would have been, had they been so acknowledged.

SEC. 2. That original section 1416 of the revised statutes of Ohio be repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 361.]

AN ACT

To amend section 6440 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-four hundred and forty of the revised statutes of said state be amended so as to read as follows:

Section 6440. When the probate judge is interested either as stockholder, director, or otherwise, in a corporation seeking to appropriate private property to its use, the proceedings authorized by this chapter may be commenced in the court of common pleas of the county; and in that case the proceedings shall conform in all respects, so far as applicable, to the provisions of this chapter, and all the powers conferred and duties imposed thereby upon the probate court shall devolve upon the court of common pleas; and said court may make such orders, and direct such proceedings to be had as may be necessary to do full justice between the parties, according to the true spirit and intent of this chapter; and after final judgment the corporation may, on depositing the amount of the judgment and costs assessed in said court, with the clerk thereof, be entitled to enter into possession of the property sought to be appropriated. In case such court is not in session when the proceedings are commenced therein, nor on the day fixed for the inquiry and assessment of compensation, a special term thereof shall be held in the same manner as provided in section twenty-two hundred and thirty-nine of said statute.

When proceedings to appropriate private property may be commenced in court of common pleas.

SEC. 2. That the original section 6440 be and the same is hereby repealed.

SEC. 3. This act to take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 341.]

#### AN ACT

To amend section 5167 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section fifty-one hundred and sixty-seven of the revised statutes of Ohio be so amended as to read as follows:

Section 5167. The clerk of the court shall, within five days from the receipt of the lists, write the names of each person so selected upon a separate piece of paper, which he shall put into a box, to be provided by him at the expense of the county, and securely kept for the purpose, and shall, at the clerk's office, between the hours of ten o'clock forenoon and twelve o'clock noon, on the fourth Monday previous to the sitting of the court of common pleas, in the presence of the sheriff, by whom the box shall be shaken before the drawing is made, so as to mix the ballots on which the names are written, and in presence of any other citizens who may choose to attend, proceed to draw twenty-seven ballots, and such additional number of ballots, if any, not exceeding eight, as the judge of the court of common

Grand and petit jurors; how drawn.

pleas in vacation or term time may direct, the persons named on the first fifteen of which shall be summoned as grand jurors, and those named on the remainder shall be summoned as petit jurors, the first twelve of whom shall constitute the regular petit jury, and in case of challenge, inability to serve, or other cause, it becomes necessary to fill the panel, the whole of the number of persons so summoned as petit jurors shall be first exhausted before resorting to other means to fill the same; and the clerk shall forthwith issue a venire to the sheriff, commanding him to summon the persons whose names are so drawn to attend as jurors, at the seat of justice of the county, on the first day of the next term of the court of common pleas holden therein, at ten o'clock A. M., unless the judge of the court of common pleas, by order made in vacation or term time, direct on what day of the term the petit jurors shall appear, whereupon the clerk shall issue a venire accordingly.

SEC. 2. That section 5167 of the revised statutes be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 165.]

#### AN ACT

Supplementary to sections 2107 and 2801 [6801] of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to sections twenty-one hundred and seven and sixty-eight hundred and one of the revised statutes, with sectional numbering as follows:

**City or district work-house may receive persons sentenced from other counties.**

Section 2107a. Any city or district having, or that may hereafter erect, within its limits, a work-house, may receive as inmates of such work-house persons sentenced thereto as provided by law, from counties other than the one in which such work-house is situated, upon such terms and during such length of time as may be agreed upon by the commissioners of such counties, or by the council of any municipality, and the county [council] of such city, or the board of district work-houses, or other authority having the management and control of such work-house. Provided, that such convicts so received shall in all respects be and remain under control of the board of work-house directors, and subject to the rules, regulations and discipline of such work-house, the same as other convicts therein detained.

**Counties having no work-house may contract**

Section 6801a. It shall be competent for the commissioners of any county or the council of any municipality, wherein there is no work-house, to agree with the city

council of any city in any other county or with the board of district work-houses having a work-house, upon terms and conditions, upon which persons convicted of misdemeanors by any court or magistrate of such county or municipality having no work-house, may be received into such work-house under sentence of such court or magistrate; and the county commissioners, or the council of any municipality, are authorized to pay the expenses incurred under such agreement out of the general fund of the county, or municipality, upon the certificate of the proper officer of such work-house, and the sheriff or other officer transporting any person to such work-house, shall have the same fees as are allowed by law for transporting prisoners to the penitentiary, to be paid out of the general fund of the county upon the certificate of such officer and allowance of the commissioners.

**with work-house authorities.**

Section 6801b. Where a person has been convicted of a misdemeanor by any court or magistrate of this state, in a county or municipality having no work-house, and the commissioners of such county, or council of any municipality, have made provisions as allowed by law for receiving persons so convicted into the work-house of a city in any other county or district in the state, it shall be competent for such court or magistrate, in its discretion, where imprisonment in the jail of the county, may by law be imposed in punishment of such offense, to sentence such person to such work-house for a period not exceeding the maximum period of confinement in the jail of the county allowed by statute for such offense; and in all such cases the court or magistrate may further order that such person stand committed to such work-house until the costs of prosecution are paid, or he be discharged as herein provided; and in all cases where a fine may be imposed in punishment, in whole or in part, for an offense, and the court or magistrate could order that such person stand committed to the jail of the county until such fine and the costs of prosecution are paid, such court or magistrate may order that such person stand committed to such work-house until such fine and costs are paid, or until he be discharged, at the rate of sixty cents per day for each day of confinement, or be otherwise legally discharged.

**Courts may sentence to work-house for jail offense.**

Section 6801c. Where under the provisions of the preceding sections, a person is sentenced to such work-house by the court of common pleas, the clerk shall make and deliver to the sheriff a certified copy of the docket and journal entries, showing the crime charged and the sentence of the court, which shall be delivered by the sheriff to the proper officer in charge of such work-house, and shall be his warrant for detaining such person in custody therein; in cases of such convictions by any other court or magistrate, such court or magistrate shall make a certified transcript of the docket in such case, which shall in like manner be delivered to the marshal, or constable, or sheriff by such court or magistrate, which shall be delivered by such officer to [by] the proper officer in charge of such work-house, and shall be his warrant for detaining such person in custody therein; in all cases of

**Proceedings when committed by common pleas court.**

**When committed by other court.**

sentences to a work-house under the provisions of this act, the person so sentenced may be confined in the jail of the county for such period as may be reasonably necessary for the officer to procure the papers and make arrangements to transport him to such work-house.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HORR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 336 ]

AN ACT

To prohibit the sale of toy pistols in the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to chapter eight, title one, part four of the revised statutes, with sectional number as herein provided :

Unlawful to  
sell toy  
pistols to  
minors un-  
der fourteen  
years.

Penalty.

Section 6986b. That it shall be unlawful for any firm, company or person in the state of Ohio, to sell or exhibit for sale any pistol manufactured out of any metallic or hard substance, commonly known as the "toy pistol", to a minor under the age of fourteen years; any firm, company or person violating the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten nor more than fifty dollars, or be imprisoned not less than ten days nor more than twenty days, or both, and shall be liable to a civil action in damages to any person injured by such sale.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HORR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 320.]

AN ACT

To amend sections 4777, 4808 and 4812 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections forty-seven hundred and seventy-seven, forty-eight hundred and eight, and forty-eight hun-

dred and twelve of the revised statutes be and the same are hereby amended so as to read as follows:

Section 4777. The board of county commissioners shall immediately thereafter transmit to the auditor of the county said map, profile and statement as returned to them by the road commissioners, and shall at the same time direct the auditor to levy upon the grand duplicate of the county, for the purpose of constructing, improving and repairing such road, the amount of the tax, and for the number of years petitioned for; and the auditor shall enter the same upon the duplicate for collection, on all the lands and taxable property within the bounds of the road, as laid out and established, in the same manner and subject to the same penalties and forfeitures as other taxes are entered thereon for purposes of collection; but no such tax shall be levied for an amount or for a term of years greater than that set forth in the petition, unless the petition be renewed, or the county commissioners order an extension of the levy for the purposes stated in section forty-eight hundred and twelve, and when an extension of the tax is granted on petition, such tax shall be levied for any number of years that may be set forth in the petition as, when added to the first levy, will not, in the aggregate, exceed ten years.

Levy of taxes to construct and repair one mile assessment pikes.

Section 4808. The commissioners of any free turnpike road, whenever they deem it necessary for the purpose of constructing a free turnpike road, completing the same, or liquidating any indebtedness on account thereof, are authorized to issue bonds, payable at the county treasury, in installments, at intervals not exceeding the number of years for which the special tax provided for in this chapter has been levied, bearing interest not exceeding six per centum, payable semi-annually; which bonds shall not be sold for less than par, and shall be registered by the county auditor, previous to their issue, in a book by him kept for that purpose; such registry shall show the number of each bond issued, the amount for which issued, the rate of interest which it bears, and when the same is payable; and the extra taxes levied under the provisions of this chapter shall be divided in such manner as to meet the payment of the interest and principal of the bonds, and when collected the money arising therefrom shall be paid to the road commissioners, by the treasurer of the county, upon the warrants of the county auditor; and the road commissioners shall apply the money first to the payment of their bonds and interest, and next to the construction and improvement of such free turnpike road, and in discharging any indebtedness incurred on account thereof.

Road commissioners may issue bonds therefor.

Section 4812. The provisions of this chapter shall extend and be applicable to all free turnpike roads heretofore built, now in process of construction, or hereafter to be constructed; and at any time when the county commissioners shall deem it necessary for the purpose of providing the means for completing the same, and liquidating any indebtedness incurred on account of such road, they may continue the tax origin-

How unfinished roads may be completed.

ally levied for constructing the same for a period not exceeding, in the aggregate, five years, in addition to the levy made on petition, as provided for in section forty-seven hundred and seventy-seven.

SEC. 2. Said original sections 4777, 4808 and 4812 are hereby repealed; and this act shall take effect from its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 251.]

AN ACT

To provide for the payment of the claim of Gross and Dietrich against the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, the sum of sixty-four hundred, eighty-three dollars and ninety-eight cents, for the payment of the claim of Gross and Dietrich, to be paid to them or their assigns.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 973.]

AN ACT

Making appropriations for the supreme court commission and miscellaneous purposes.

Appropriation for supreme court commission, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund not otherwise appropriated, the following sums for the purposes herein mentioned, to wit:

For salaries of the judges of the supreme court commission from April 17, 1883, to February 15, 1884, sixteen thousand five hundred and fifty dollars (\$16,550).

For salary of crier of supreme court commission, April 17, 1883, to February 15, 1884, four hundred and twenty-five dollars (\$425).



For salary of messenger, April 17, 1883, to February 15, 1884, three hundred and sixty-five dollars (\$365).

For salary of porter, seven hundred and fifty dollars (\$750).

For salary of janitor, two hundred dollars (\$200).

For contingent expenses, four hundred dollars (\$400).

For furniture, carpets and repairs, five hundred dollars (\$500).

For salary of reporter, April 17, 1883, to February 15, 1884, six hundred and sixty-five dollars (\$665).

For contingent expenses of the reporter, one hundred dollars (\$100).

For additional salary of clerk, April 17, 1883, to February 15, 1884, four hundred and fifteen dollars (\$415).

For additional deputy-clerk, April 17, 1883, to February 15, 1884, two hundred and fifty dollars (\$250).

For salary of deputy-clerk of commission from April 17, 1883, to February 15, 1884, eight hundred and thirty dollars (\$830).

For extra contingent funds for clerks, fifty dollars (\$50).

For attorney fees, five hundred dollars (\$500), to be expended under direction of the governor, auditor of state and attorney-general, in the employment of counsel to represent the state, in the cases of the national banks of Cincinnati against the treasurer of Hamilton county, now pending in the circuit court of the United States southern district of Ohio for the payment of boxes and repairs.

Attorney fees.

Ohio Furniture Company, two hundred and ten [dollars] and two cents (\$210.02).

Ohio Furniture Comp'y.

For payment of filling [filing] boxes made by the Republic Printing Company of Springfield, sixty-one dollars and twenty-five cents (\$61.25).

Filing boxes.

For the payment of bounties of veteran volunteers under the provisions of the act of April 16, 1880, five hundred dollars (\$500).

Veteran bounties.

For payment of sundry bills, as per S. R. 95, one hundred and eighteen dollars and ninety cents (\$118.90).

Sundry bills.

For payment of exchange of statutes under S. J. R. 61, if such exchange be made, four thousand six hundred and twenty-five dollars (\$4,625).

Exchange of statutes.

For payment of Halm, Bellows & Co., for furniture and repairs in senate chamber, seventy-six dollars and twenty cents (\$76.20).

Furniture, etc.

For payment to Alice E. Matthews for clerical services, two hundred and forty dollars (\$240).

Alice E. Matthews.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

[House Bill No. 643.]

## AN ACT

To create the office of health commissioner in cities of the first grade of the first-class, and to repeal section twenty-one hundred and seventeen of the revised statutes of Ohio.

Commissioner of health for certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for cities of the first grade of the first-class, there is hereby created the office of commissioner of health, who shall be appointed by the superior court of Cincinnati, upon the passage of this act, and whose term of office shall be three years and until his successor shall be appointed and qualified.

Duties of.

SEC. 2. Said commissioner of health shall have and exercise a general supervision over the sanitary condition of the city, shall enforce all sanitary laws and ordinances, and shall have power to make and enforce such orders, rules and regulations as may be necessary for the preservation of the public health and the prevention of disease, and such orders and rules shall have the force and effect of orders and rules heretofore made by the board of health, and said commissioner shall have and is hereby given all the power heretofore exercised by the board of health and granted to boards of health in title twelve, division six, chapter one of the revised statutes of 1880, and is required to perform all the duties heretofore performed by the board of health, and said commissioner shall have charge of and control the police and sanitary regulations of all markets and market-houses.

Power to appoint and remove sundry assistants.

SEC. 3. The commissioner of health shall have power to appoint and remove, one registrar of vital statistics, who shall act as secretary of the commissioner of health, one milk inspector, one chemist, twenty-five district physicians, one sanitary superintendent, twelve sanitary policemen, one superintendent of markets, six assistant market masters, two meat and stock inspectors, three inspectors of factories and work-shops, five market watchmen, and such force of laborers as may be necessary to keep the markets clean and in proper sanitary condition, and said commissioner shall prescribe the duties of his subordinates.

Compensation of commissioner and assistants.

SEC. 4. The salary of said commissioner of health shall be thirty hundred dollars (\$3,000) per annum, and said commissioner shall fix the annual compensation for his subordinates not to exceed the following: Registrar of vital statistics, twelve hundred dollars (\$1,200); milk inspector and one chemist, twelve hundred dollars (\$1,200) each; district physicians, three hundred dollars (\$300) each; sanitary superintendent, one thousand dollars (\$1,000); sanitary policemen, eight hundred dollars (\$800); superintendent of markets, one thousand dollars (\$1,000); assistant market masters, eight hundred dollars (\$800); meat and stock inspectors of factories and work-shops, eight hundred dollars (\$800); market watchmen, six hundred dollars (\$600); and laborers, forty-five dollars (\$45) each.

SEC. 5. All funds now in the city treasury [of cities] of the first grade of the first class due, or to become due, for sanitary purposes, or under the control of the board of health, shall be, upon the appointment and qualification of the health commissioner, subject to the control of the commissioner, and the commissioner shall apply the same to the carrying out of the provisions of this act, and said commissioner shall, when qualified, and annually thereafter, submit an estimate of the amount necessary for carrying out the provisions of this act and sanitary laws and ordinances to the common council, and a statement of all expenditures from appropriations for the health department, and it shall be the duty of common council, upon application and certificate from the health commissioner, to pass the necessary appropriation ordinances to pay the salaries and expenses necessary for carrying out the provisions of this act, and council is hereby empowered to levy, subject to the instruction contained in the ninth division of title twelve, and set apart the necessary sum to carry into effect the provisions of this act.

Sanitary funds; commissioner to submit annual estimates, etc.

SEC. 6. In cities of the first grade of the first class, which for this purpose alone shall be co-extensive with the county, it shall be the duty of physicians and professional midwives to keep a registry of the several births at which they have assisted professionally, which registry shall contain the time of such birth, sex and color of the child, and the names and residence of the parents; clergymen and other persons authorized to solemnize marriages, shall keep a registry of all marriages solemnized by them; physicians who have attended deceased persons in their last illness, and undertakers and sextons who have buried deceased persons, shall keep a registry of the name and age of such persons and their residence at the time of their death, and all such physicians, professional midwives, clergymen, and all persons authorized to solemnize marriages, undertakers and sextons shall report to the commissioner of health all births, marriages and deaths occurring within the limits of such city as registered by them, which reports shall be made as often as the commissioner of health may require.

Physicians, etc., to keep register and report to commissioner.

SEC. 7. The owner or agent of a house in which a person resides who has the small-pox or any other disease dangerous to the public health, and the physician called to attend the person so affected, shall, within twenty-four hours after becoming cognizant of the fact, give notice thereof to the commissioner of health, and when a person so affected is removed to a pest-house or hospital, the commissioner of health is empowered to use all necessary means to restrain him of his liberty until the danger of infection or contagion from such disease ceases.

Contagious diseases; duties of property owners and physicians.

SEC. 8. No person shall convey a corpse to or from any city named in this act without a permit from the commissioner of health.

Burial permit.

SEC. 9. Any person other than an officer, who fails to faithfully comply with any of the provisions of the three preceding sections, shall pay for each offense a sum not ex-

Penalty for non-compliance.

ceeding fifty dollars, to be recovered in a civil action in the police court of said city in the name of the state.

Penalty for violating or obstructing provisions of this chapter.

SEC. 10. Whoever violates any provision of this chapter or any order of the commissioner of health made in pursuance thereof, or obstructs or interferes with the execution of any such order or willfully and illegally omits to obey any such order, shall be fined in any sum not exceeding one hundred dollars, or imprisoned for any time not exceeding ninety days, or both, but no person shall be imprisoned under this section for the first offense.

Penalty if violation be by a corporation.

SEC. 11. If such violation, obstruction, interference or omission be by a corporation, it shall forfeit and pay to the proper city, any sum not exceeding one hundred dollars (\$100), at the discretion of the court, to be collected in a civil action brought in the name of such city; and any officer of such corporation consenting to such violation, shall be subject to imprisonment as above provided.

Prosecution; how instituted.

SEC. 12. Prosecution under this chapter and the civil action provided for in the preceding section, shall be instituted before any tribunal within the municipal corporation having jurisdiction thereof.

Certain offices abolished.

SEC. 13. The office of the board of health in cities to which this act is applicable, and also all offices created by council or under legislative act in, for or under this department placed under control of the commissioner of health, are hereby abolished, and the common council in cities to which this act is applicable, shall not have power to create a board of health when a commissioner is appointed.

SEC. 14. Section 2117 of the revised statutes is hereby repealed.

SEC. 15. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

## LOCAL AND SPECIAL ACTS.

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[Senate Bill No. 118.]

### AN ACT

To change the surnames of certain persons named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the respective surnames of Wilhelm Gruneberg, Marie Gruneberg, his wife; Charles Otto Gruneberg, George Otto Gruneberg, Joseph Otto Gruneberg, and John Otto Gruneberg, sons of the said Wilhelm Gruneberg, all of whom are residents of Licking county, Ohio, be and the same are hereby changed so as to read as follows, respectively, to wit: Wilhelm Green, Marie Green, Charles Otto Green, George Otto Green, Joseph Otto Green, and John Otto Green.*

Sec. 2. That such changes of surnames shall in nowise affect the rights, privileges, and liabilities of either of said persons, individually or generally.

Sec. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed January 11, 1883.

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[Senate Bill No. 147.]

### AN ACT

To authorize the school fund society of Chillicothe, Ohio, to convey certain real estate.

WHEREAS, The school fund society of Chillicothe, Ross county, Ohio, was, by an act of the general assembly of the state of Ohio, passed March 11, 1845, duly incorporated, subject to the provisions of an act of the general assembly of Ohio, passed March 7, 1839, entitled "an act to regulate incorporated literary societies"; and

WHEREAS, By the terms of said last-mentioned act, the existence of said corporation was limited to a term of thirty years; and

WHEREAS, Said corporation has expired, by said limitation; and

WHEREAS, During its existence under said act, the trustees thereof acquired certain real estate which was conveyed to them and their successors in office, for the use of said society, which real estate has never been sold or conveyed by said society, or its trustees; and

WHEREAS, J. W. Hackley, F. Maxwell, W. H. Farrow, Newton Harris, J. D. Hackley, John Powell and John F. James, who were the trustees of said society at the expiration of said thirty years, and holders of the legal title to said property, together with the remaining members of said society; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said J. W. Hackley, F. Maxwell, W. H. Farrow, Newton Harris, J. D. Hackley, John Powell and John F. James, their associates and successors in office, the members of said society, be and they are hereby authorized to reorganize to convey to said society, or to the trustees thereof duly elected in accordance with its constitution and by-laws, in trust for said society, the title to said real estate, choses in action, and to deliver or assign to them any personal property belonging to the said society and held in trust by them.

SEC. 2. That said society so organized is hereby authorized to hold said real estate and personal property coming to it either by gift or devise, and to dispose of the same under the direction of its constitution and by-laws, and to devote the rents, profits, or proceeds thereof to such purpose as its constitution and by-laws prescribe.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
B. G. RICHARDS,  
*President of the Senate.*

Passed January 11, 1883.

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[House Bill No. 523.]

AN ACT

Supplementary to an act entitled "an act to authorize the city council of the city of Mt. Vernon, Knox county, to issue bonds for the purpose of providing said city with a system of public water works."

SECTION 1 [ ] *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Mt. Vernon, Knox county, be and the said city council is hereby authorized to issue the bonds of said city, in any sum not exceeding twenty-eight thousand dollars (\$28,000), bearing interest at a rate not exceeding six per cent. per annum, from the date of issue, payable semi-annually, for the purpose of extending and improving said city water works.

SEC. 2. Said bonds shall be signed by the president of the city council and countersigned by the clerk of said city. They shall not be sold for less than their par value, and shall be issued in such amounts, respectively, as will, in the judgment of said council, best subserve the negotiation and sale thereof; the principal shall be payable at such times as the council of said city may determine by ordinance, within a period not exceeding twenty years, and said city council is hereby authorized to levy a tax upon all the taxable property of said city to pay said bonds, not to exceed three (3) mills in any one year.

SEC. 3. The funds realized from the sale of said bonds shall be used by the council of said city for the purpose of extending and improving

said water works for said city, which water works, when completed, shall be used, operated, and controlled in such manner as may be prescribed by law and the ordinances of said city.

SEC. 4. The council of said city may, and they are hereby authorized to invest any money that may now be in, or that may hereafter be in the sinking fund of said city, collected for the purpose of paying the water works bonds of said city, or that may arise from interest on loans or purchases of bonds, in the purchase of the bonds of the United States, the state of Ohio, or of the city of Mt. Vernon.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 18, 1883.

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[House Bill No. 534.]

AN ACT

To authorize the board of education of the Antwerp school district, Paulding county, to issue bonds for the redemption of other bonds.

SECTION 1.[ ] *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of refunding the indebtedness of said district, the board of education of the village district of the incorporated village of Antwerp, in Paulding county, and state of Ohio, be and they are hereby authorized to issue the bonds of said district, not exceeding eight thousand dollars, payable at such times and places as said board may determine.

SEC. 2. Said bonds shall be issued by said board, and signed by the president and attested by the secretary thereof, who shall keep a record thereof, and said bonds shall bear interest semi-annually, at a rate not exceeding six per cent. per annum, and shall not run longer than eight years after the date thereof, and shall be in such amounts as said board may determine. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the bonded indebtedness of said district.

SEC. 3. The board of education of said district shall annually, at the June session, levy such amount of taxes as is necessary to pay said indebtedness, and interest, as the same becomes due and payable.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 18, 1883.

[House Bill No. 549.]

## AN ACT

To authorize the village of Corning to issue bonds for the purpose of defraying present indebtedness, and providing for public improvements of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Corning, Perry county, Ohio, is hereby authorized to issue bonds, not to exceed in amount twenty-one hundred dollars, to bear interest not to exceed six per cent. per annum, payable annually, for the purpose of defraying present indebtedness and promoting public improvements of said village.

SEC. 2. Said bonds shall be payable as follows: Seven hundred dollars each year after their issue, and shall not be sold for less than par value, and shall be signed by the mayor and clerk of said village.

SEC. 3. For the purpose of raising money to pay said bonds and the interest thereon as they mature, said council is hereby authorized to levy a tax sufficient to meet the same in addition to the taxes now authorized by law.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 18, 1883.

[House Bill No. 386.]

## AN ACT

To create a special school district in Whitewater township, Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory, to wit: Commencing at the state line between the state of Ohio and the state of Indiana, where the line of sub-district number one (1) and number two (2) intersects said state line; thence south with said state line to the mouth of the Big Miami river; thence with the meanders and up said river to the mouth of the Whitewater river; thence with the meanders and up said Whitewater river to the suspension bridge near what is known as Calloway's ford; thence west with the line dividing sub-district number one (1) and sub-district number two (2) to said state line or place of beginning, shall be and the same is hereby created and declared to constitute a special school district; provided, however, that a majority of the electors residing within said territory shall vote in favor of said special school district at an election to be held in the following manner:

SEC. 2. Written notices shall be posted in at least three (3) of the most public places within said territory, signed by at least three (3) resident electors of the same, requesting the qualified electors thereof to assemble on a day, at least five (5) days from the day of posting, and at an hour and place designated in said notices, then and there to vote for



or against the creation of said special school district. The electors assembled at the time and place designated in said notices, shall appoint a chairman and two clerks, who shall be judges of said election, which shall continue at least two hours, and shall not close before four (4) o'clock p. m. The electors in favor of the proposed special school district shall have written upon their ballots, "Special School District—Yes"; those opposed thereto, "Special School District—No"; and a majority of the ballots so cast shall determine the question whether or not the said proposed special school district shall be created.

SEC. 3. Should a majority of all the ballots cast at said election be found in favor of the special school district as aforesaid, the electors shall at once proceed to elect three (3) members to constitute a board of education, one to serve until the third (3d) Monday of April next succeeding his election, and one to serve for one year, and one for two years from said third Monday, and until the election and qualification of their successors.

SEC. 4. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for school-house and incidental expenses, in accordance with the enumeration of the year 1881, of children who are entitled to attend school; said funds being those now collected within the county or township treasury, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SEC. 5. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 23, 1883.

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[House Bill No. 469.]

AN ACT

To authorize the commissioners of Clinton county to transfer balances and overpays existing on road improvements, completed and paid for, to the county fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all funds in the treasury of said county, belonging to road improvements completed and paid for, be transferred to the county fund, and that all overpays on road improvements be charged to the county fund; and that the commissioners of Clinton county are hereby authorized to direct the auditor of said county to square, close up, and strike from his balance sheet such balances and overpays as now exist.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 24, 1883.

[House Bill No. 567.]

## AN ACT

To authorize the board of education of the city of Akron, in the county of Summit, and state of Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education in the city of Akron, county of Summit, be and they are authorized to borrow the sum of fifty thousand dollars, to be applied to the payment of the expense to be incurred in the erection and furnishing of school buildings in said city and in purchasing sites therefor.

SEC. 2. That for the purpose aforesaid, the said board are authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars, and not more than one thousand dollars, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said board may determine, which said bonds shall not be sold for less than their par value, which said bonds may, in the discretion of said board, have interest coupons attached.

SEC. 3. That for the purpose of paying said bonds and interest thereon as the same shall become due, the said board of education are hereby authorized and empowered to levy on all the taxable property of the said school district, a tax for such an amount annually, not exceeding the maximum authorized by the general laws, as will be sufficient to pay the principal of the debt evidenced by said bonds that shall fall due each year, and also the interest falling due semi-annually, on the bonds so issued, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected, paid over to the treasurer of said school district.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed January 24, 1883.

[House Bill No. 569.]

## AN ACT

Supplementary to an act to authorize the incorporated village of Medina, Medina county, to issue bonds for the construction of water works, passed March 27, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Medina, Medina county, Ohio, be and they are hereby authorized to issue the bonds of said village, in any sum not to exceed six thousand dollars, bearing interest at a rate not exceeding six per cent., payable semi-annually, and sell the same at not less than their par value, for the purpose of extending mains, repairing and constructing cisterns, constructing and adjusting hydrants and

fire-plugs, and extending and completing the water works mentioned in the original act to which this is supplementary. Said bonds shall be issued in all respects as provided in section two of the original act, and the funds arising from the sale of said bonds shall be expended in accordance with section three of said original act, to which this is supplementary.

SEC. 2. Said water works shall be under the exclusive control of the council of the incorporated village of Medina, and all water-rents and rates shall be fixed by said council by ordinance; and said council shall have the power to protect said water works by ordinance, imposing such penalties as said council may deem best.

SEC. 3. This act shall be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed January 24, 1883.

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[House Bill No. 628.]

AN ACT

To authorize the trustees of Moorefield township, Clarke county, Ohio, to transfer not to exceed \$400 from the township fund to the cemetery fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Moorefield township, Clarke county, Ohio, be and they are hereby authorized and empowered to transfer not to exceed four hundred dollars from the township to the cemetery fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed January 25, 1883.

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[Senate Bill No. 159.]

AN ACT

To authorize the commissioners of Henry county to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Henry county, in said state, are hereby authorized, when in their judgment the public interest shall require it, to construct or improve the following free turnpike roads in said county, to wit: That part of the road known as the Adrian pike, which lies between the Wabash, St. Louis and Pacific railway, in the town of Napoleon, and the north line of Napoleon township; that part of the

road known as the Bryan pike, which lies between the railway aforesaid, in the town aforesaid, and the residence of Conrad Clay, in said township of Napoleon; that part of the road known as the Kalida pike, which lies between the bridge across the Maumee river at Napoleon, and the south line of section one, in Flat Rock township, and that part of the road known as the Spangler pike, which lies between the north line of section nineteen, and the north line of section twenty-nine, in the township of Harrison; said roads shall be well drained and graded, and a track on the same not less than twelve or more than twenty feet in width shall be covered with stone or gravel, or both, to a depth of not less than twelve inches.

SEC. 2. Before proceeding with the improvement and construction of said roads, or either of them, the commissioners may require an amount to be fixed by them, not less than twenty per centum of the total cost of each road, to be raised by subscriptions; such subscriptions shall be payable to the county treasurer within a time limited therein, and when due and unpaid, the same with interest thereon, shall be charged upon the tax duplicate of said county against the property of the subscriber, and shall be a lien upon all his real estate in the county, and the same may be so charged in installments, and with such other regulations as the commissioners may prescribe.

SEC. 3. To pay the cost of constructing and improving said roads, or either of them, the commissioners are authorized to levy a tax which shall not in any one year exceed two mills on the dollar valuation on the property of said county, and may at their discretion issue bonds of the county therefor, with interest not exceeding six per centum per annum, payable at the pleasure of the commissioners of the county only from the proceeds of the subscriptions and tax; said bonds shall not be disposed of by the commissioners at less than their par value.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 25, 1883.

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[Senate Bill No. 194.]

AN ACT

To transfer certain funds in the village treasury of New Lisbon, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of New Lisbon, Columbiana county, Ohio, are hereby authorized to transfer, from the interest and sinking fund of said village, the sum of one thousand two hundred and twenty-four dollars and twenty-seven cents, seven hundred dollars to the street fund and five hundred and twenty-four dollars and twenty-seven cents to the police fund of said village; provided, that no part of said funds shall be used to pay any indebtedness heretofore contracted by said corporation contrary to law.*

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed January 25, 1883.

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[House Bill No. 431.]

AN ACT

To authorize the village of New Straitsville, Ohio, to issue bonds to improve streets, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Straitsville, Perry county, Ohio, is hereby authorized and empowered to issue the bonds of said village in such numbers and amounts as said council may determine, not exceeding in the aggregate four thousand dollars (\$4,000), to bear interest at the rate of not to exceed six per cent. per annum, the proceeds of which bonds shall be used only in improving streets, building bridges, a prison and making cisterns in said village, in such proportion as said council may prescribe by ordinance; said bonds shall be signed by the mayor and clerk of said village, and shall not be sold for less than their par value.

SEC. 2. One-fifth of the whole amount of said bonds, issued by authority of section one of this act, shall be paid each year after their issue; and for the purpose of paying said bonds and the interest thereon as they may mature, said council is hereby authorized to annually levy a tax sufficient to meet the same, in addition to the taxes now authorized by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed January 26, 1883.

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[House Bill No. 415.]

AN ACT

To authorize the board of education of Worthington school district, Sharon township, Franklin county, to appropriate certain funds belonging to said school district, and apply the same to the erection of additional buildings for school and other purposes.

WHEREAS, Under the provisions of an act of the general assembly of the state of Ohio, passed April 11, 1873 (Ohio laws, volume 70, page 355), said board of education of Worthington school district have realized from the property mentioned therein, as interest from the funds invested,

and the rentals of the real estate, and have on hands an unexpended balance of about two thousand dollars, which is not required for the purposes named in said act; and

WHEREAS, Owing to the large increase in the number of pupils attending the public schools of the district, more extended facilities are required for said purpose; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be lawful for said board of education of said school district, and they are hereby authorized and empowered to appropriate said unexpended balance, and any subsequently accruing interest and rentals from said property named in said act, to the erection of such additional school buildings as in their judgment the necessities of the schools of said district require, and to build, in connection with such school building, a public hall devoted to school and other purposes, under the control of the school board.

SEC. 2. That said board of education of said school district, upon a petition of a majority of the voters of said school district, for the purpose of obtaining additional funds to aid in the construction of said building, are hereby authorized to levy upon the taxable property, real and personal, of said school district, the sum of two thousand dollars, and to certify said levy to the auditor of Franklin county, who shall place one-half thereof on the tax duplicate of said school district for the year 1883, and the remaining one-half on said tax duplicate for the year 1884, which levy shall be continued upon said duplicate until said sum of money shall be fully realized, and the same shall be collected by the treasurer of said county as other taxes are collected by him; and upon the faith of said additional levy, and in anticipation of the collection of said tax, said board of education is hereby authorized to borrow money, and issue bonds in the name of said board, bearing interest not exceeding six per centum per annum, payable annually, and for such sums, and payable at such times as said board of education may think advisable; which bonds shall not be sold for less than their par value, and they are hereby authorized to proceed immediately to erect said buildings as soon as they are authorized by the provisions of this act to make said levy.

SEC. 3. This act shall be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 26, 1883.

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[House Bill No. 598.]

#### AN ACT

To authorize the village of Washington C. H., Fayette county, Ohio, to issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Washington C. H., Fayette county, Ohio, be and is hereby authorized and empowered to issue the bonds of said village in any sum not exceeding ten thousand dollars, bearing a rate of interest not exceeding six per centum, per annum, payable semi-annually, and

to be of such denomination as said council may direct, not less than fifty dollars each, which bonds shall be made payable at such times as said council may determine, not exceeding six years from the date thereof. Said bonds shall not be sold for less than their par value, and the money arising from the sale of said bonds, shall be used and applied to the purchase of gravel for said village and for street improvements.

SEC. 2. Said council shall have power to levy from time to time a tax on the taxable property of said village, in addition to the rate now authorized by law, sufficient to pay the interest and principal of said bonds as they become due.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed January 26, 1883.

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[Senate Bill No. 191.]

AN ACT

To authorize the board of education of Buck township, in Hardin county, to issue bonds to pay indebtedness contracted for the erection and repair of school-houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Buck township, in Hardin county, to enable it to anticipate a portion of the levies for contingent fund for 1882, 1883 and 1884, for the purpose of paying certain indebtedness contracted for the erection and repair of school-houses in said township, be and said board is hereby authorized to issue the bonds of said township school district for an amount not exceeding two thousand dollars, payable as follows: one-fourth thereof on or before September first, 1883; one-fourth thereof on or before March first, 1884; one-fourth thereof on or before September first, 1884, and the remainder thereof on or before March first, 1885. Said bonds shall bear interest at a rate not exceeding six per centum, per annum, to be paid semi-annually, and shall not be sold for less than their par value, and shall not draw interest until sold.

SEC. 2. The clerk of said board of education shall keep a complete record of said bonds, showing the number, date and amount of each bond, to whom issued, when due and the rate of interest, and when the same are paid, they shall be taken up and marked paid and the fact noted on the record.

SEC. 3. This act shall take effect on its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed January 30, 1883.

[House Bill No. 574.]

## AN ACT

Authorizing the commissioners of Meigs county to transfer certain funds therein specified.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Meigs county are hereby authorized to transfer three thousand seven hundred and three dollars and sixty-nine cents (\$3,703.69) from the infirmity building fund, now collected in the treasury of said county, to the infirmity fund of the said county; provided, that this act does not apply to any other fund than that herein specified.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed February 1, 1883.

[House Bill No. 506.]

## AN ACT

To enable the council of the village of DeGraff to transfer certain funds, now in the treasury of said village, for the purpose of lighting the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of DeGraff, Logan county, be and are hereby authorized to transfer all police funds, and all moneys realized from the sale of real estate now in the treasury of said village, to the fund for lighting the streets of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 8, 1883.

[House Bill No. 519.]

## AN ACT

To provide for the construction of free turnpikes in Ottawa county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township in the county of Ottawa, state of Ohio, are hereby authorized (upon the presentation to them of a petition signed by a majority of the tax-payers of said township praying for the same) to constitute said township into two (2) road districts, and only two. The supervisors of which shall, before entering upon their duties, execute



a bond in the penal sum of one thousand dollars, payable to the trustees of said township, and conditioned upon the faithful discharge of their duties; and the said supervisors shall receive for their services the sum of two dollars per day for the time actually employed in working and supervising the work in their respective districts.

SEC. 2. The said trustees are also authorized, when petitioned, as provided in section two of this act, to levy a tax not to exceed in any one year, five (5) mills on the dollar valuation of the taxable property of said township, for the purpose of grading, turnpiking or otherwise improving the highways or any portion of the same in said township, and the tax so levied may, upon the order of the trustees of such township, be discharged by labor under the direction of the supervisor of the district and general supervision of the trustees of the township as to time, rate per day, and place for such labor; and the supervisors shall give to each person so performing labor a certificate, specifying the amount of tax so paid, and the township and district wherein such labor was performed, which certificate shall in no case be given for a greater sum than the tax charged against such person, and the county treasurer shall receive all such certificates as money in the discharge of said road tax.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 8, 1883.

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[House Bill No. 602.]

#### AN ACT

To amend an act entitled "an act to authorize the commissioners of Coshocton county to build a bridge across the Walhonding river, in said county, and to levy a tax for that purpose," passed April 15, 1882 (O. L. v. 79, page 220.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* section one of an act entitled "an act to authorize the commissioners of Coshocton county to build a bridge across the Walhonding river in said county, and to levy a tax for that purpose," passed April 15, 1882 (O. L. v. 79, p. 220), be so amended as to read as follows:

Section 1. That the commissioners of Coshocton county, Ohio, be and they are hereby authorized to build a bridge across the Walhonding river, at or near the "Thomas Darling ford," in Jefferson township, in said county, at a cost not exceeding fourteen thousand dollars (\$14,000); and for the purpose of constructing said bridge, said commissioners are hereby empowered, at any regular session hereafter, within four years from the date thereof, to levy a tax not exceeding one and one-tenth mills on the dollar, in addition to the levy now authorized by law, to be levied upon all the taxable property of said county, to be expended under their direction and control in constructing said bridge.

SEC. 2. That said original section 1 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed February 8, 1883.

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[House Bill No. 586.]

AN ACT

For the relief of John H. Parks, treasurer of Kirkwood township, Belmont county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees and the board of education of said township are hereby authorized and required to release said John H. Parks and his sureties on his official bond, as treasurer of said township, from the payment of the following sum of money, to wit: The sum of four hundred and fifty-eight dollars and ninety-two cents; provided, that the trustees shall submit said proposition to release to the qualified electors of said township at the regular April election, and two-thirds of the electors at said election vote in favor of such release.

SEC. 2. It shall be the duty of said trustees, before submitting said proposition, to give ten days' notice of such election, by posting the same in at least five public places in said township. The form of the ballots at said election shall be as follows: "For the release of John H. Parks—Yes," and "For the release of John H. Parks—No."

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed February 9, 1883.

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[House Bill No. 270.]

AN ACT

For the creation of a new joint sub-school district in the townships of Ross, Morgan, Reily and Hanover, in Butler county, and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory comprised in the townships of Ross, Morgan, Reily and Hanover, in the county of Butler, and state of Ohio, described and bounded as follows, to wit: Beginning on the township line, between the townships of Reily and Hanover, at the north-west corner of the lands of Mary Sample, in Hanover township, in section thirty (30); thence running east to the half ( $\frac{1}{2}$ ) section line of said section thirty (30); thence south on the half ( $\frac{1}{2}$ ) section line between the lands of said Mary Sample

and Andrew Lewis to the section line between sections thirty (30) and thirty-one (31); thence east on said section line to the north-east corner of said section thirty-one (31); thence south on the east line of said section thirty-one (31), to the township line between the townships of Hanover and Ross, in the state and county aforesaid; thence east on said township line to the north-east corner of fractional school district No. 7, in the township of Ross; thence south on the east line of said fractional school district No. 7, in said township, to the south-east corner of the same; thence west on the south line of said fractional school district No. 7, in Ross township, to the south-west corner of the same on the township line, between the townships of Ross and Morgan, in the state and county aforesaid; thence north on the said township line to the half ( $\frac{1}{2}$ ) section line of section one (1) in Morgan township; thence west on said half ( $\frac{1}{2}$ ) section line of said section to the center of said section one (1) in Morgan township; thence north on the half ( $\frac{1}{2}$ ) section line of said section one (1) to the township between the townships of Morgan and Reily; thence continuing north on the half ( $\frac{1}{2}$ ) section line in section thirty-six (36) in the township of Reily to Indian Creek; thence east following the meanderings of said Indian Creek, to the west line of the lands of Mary Sample, in section twenty-five (25), in the township of Reily; thence north on west line of said Mary Sample's lands, to the half ( $\frac{1}{2}$ ) section line of said section twenty-five (25); thence east to the place of beginning; to be and the same are hereby created and declared to constitute a new joint sub-school district, in the aforesaid townships of Ross, Morgan, Reily and Hanover, in the county of Butler, and state of Ohio, and shall be entitled to all the school privileges, and governed by the same school laws applicable to all joint sub-school districts.

SEC. 2. That for the purpose of purchasing one acre of ground off of the north-west corner of the lands now owned and occupied by Samuel Gillespie, in section six (6), in the township of Ross, and at the village of Mt. Auburn, the same being designated by a commission, appointed upon petition to the probate judge of the county of Butler, and state of Ohio, in the year 1880, in accordance with section 3934, 35, 36, etc., of the late revised school laws of Ohio, as a suitable site, and erecting thereon a good substantial brick school-house, necessary for the wants and accommodations of said joint sub-school district. It shall be the duty of the auditor of the county of Butler, and state of Ohio, in the year 1883, to levy a tax on all the taxable property in the townships of Ross, Morgan, Reily and Hanover, except any independent or special districts that may be in either of the aforesaid townships, in proportion to the enumeration of youths of school age, in the territory belonging to each of the townships, in accordance with section 3961 of the late revised school laws, not to exceed the sum of twenty-five hundred dollars (\$2,500), said school-house to be completed and ready for school by September 1, 1883.

SEC. 3. That it shall be the duty of the board of education of the township, in which the site is located, to condemn the same, and purchase the site heretofore described, and cause to be erected thereon a substantial brick school-house, sufficiently large to accommodate the wants of said joint sub-school district.

SEC. 4. That to enable said board of education to fully carry out the provisions of sections 2 and 3 of this act, they shall issue bonds, and borrow money thereon in any amount, not to exceed the specified levy; said bonds bearing interest not to exceed seven per cent. per annum.

SEC. 5. That it shall be the duty of the township clerk of the township where the site is located, within ten days after being notified of the passage of this act, to cause to be posted in at least three conspicuous places in said joint sub-school district, a notice of the usual form, notifying the voters of said joint sub district of an election for three school directors, who shall hold their offices as follows, to wit: one for one year, one for two years, and one for three years, from the third Monday of April, 1883, and until their successors are elected and qualified, in accordance with section 3949 of the late codified school laws of Ohio; said notice shall be posted at least five days previous to holding of said election.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

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[House Bill No. 562.]

AN ACT

To authorize the village of Hanover Columbiana county, Ohio, to issue bonds to complete a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Hanover, Columbiana county, Ohio, is hereby authorized to issue bonds to the amount of one thousand dollars, for the purpose of completing the town hall of said village; said bonds to bear interest at a rate of not more than six per centum per annum, and payable at any time within ten years, and the council of said village is hereby authorized to levy a tax upon all the taxable property within said village to pay said sum of one thousand dollars and interest thereon.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

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[House Bill No. 563.]

AN ACT

To authorize the trustees of Thompson township, Geauga county, Ohio, to borrow money for cemetery purposes and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Thompson, in the county of Geauga, and State of Ohio, be and are hereby authorized and empowered to purchase suitable grounds for cemetery purposes, for the use of said township,

and they may borrow the money, sufficient to pay for the same, in addition to the amount now on hand for such purposes, not exceeding one thousand three hundred dollars, and issue the bonds of said township therefor, bearing a rate of interest of not more than six per cent. per annum, for such length of time, not exceeding five years, as said trustees shall determine, which said bonds shall not be sold for less than their par value, and the proceeds shall be applied to no other purpose than aforesaid; the said bonds shall be signed by said trustees and countersigned by the clerk of said township.

SEC. 2. That for the purpose of paying the principal and interest of said bonds, the trustees, in addition to said amount already levied for said purpose, are authorized and required to levy and assess a tax of not exceeding one mill on the dollar, annually, on valuation of the taxable property of said township.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

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[House Bill No. 571.]

AN ACT

To transfer funds and construct a foot-bridge in Adams county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Bratton township, in said county, be authorized to transfer five hundred dollars now in the treasury collected for building, and not needed for that purpose, to the bridge fund of said township.

SEC. 2. The township trustees of said township are authorized and required to expend said sum of money in the erection and construction of a foot-bridge across the west fork of Brush creek, at Rock Spring, in said township and county, for the use of schools therein.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

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[House Bill No. 638.]

AN ACT

To authorize the board of education of school district No. one, of Paris township, Union county, to issue bonds to pay the floating debt of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of paying the indebtedness of school district No. one, of Paris township, Union county, Ohio, the board of education thereof are

hereby authorized to issue the bonds of said district for an amount sufficient to pay the floating indebtedness of the district, not exceeding four thousand dollars.

SEC. 2. Said bonds shall be issued by said board and signed by the president, and countersigned by the secretary thereof, who shall keep a record of the same, and shall be for five hundred dollars each, and payable, one September 1, 1884, and one every six months thereafter until all are paid, and shall bear interest at not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value, and the proceeds to be used for no other purpose than that herein named, and the said board shall provide, by tax, for the payment of said bonds and the interest thereon as the same shall become due.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 13, 1883.

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[Senate Bill No. 183.]

AN ACT

To authorize the city council of Chillicothe to temporarily transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Chillicothe are hereby authorized to temporarily transfer from the moneys of the bridge fund of said city, the sum of five hundred dollars (\$500) to the fire department fund; five hundred dollars (\$500) to the park fund, and one thousand dollars (\$1,000) to the street cleaning and sanitary fund; provided, that the same shall be repaid to the bridge fund out of the first collection made and placed to the credit of these respective funds, after the transfer hereby authorized is made. ~~Enacted~~

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed February 16, 1883.

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[Senate Bill No. 218.]

AN ACT

To authorize the city of Hamilton, Butler county, Ohio, to issue bonds for payment of certain existing indebtedness, and to pay for certain real estate, and to levy taxes for payment of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Hamilton, Butler county, Ohio, is hereby authorized, for the purpose of providing the means to pay an existin -

indebtedness on account of the purchase of the right of way, and improvement of certain streets in said city, to issue the bonds of the city for an amount not exceeding in the aggregate for said purposes, thirteen thousand dollars (\$13,000), which bonds may be made to run for any length of time not exceeding five years, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, to be negotiated as is now provided in section twenty-seven hundred and nine of the revised statutes, the proceeds thereof to be applied exclusively to the payment of said indebtedness, and for no other purpose whatever.

SEC. 2. That the council of the city of Hamilton, Butler county, Ohio, for the purpose of paying any balance necessary for the completion of the purchase of any real estate, with the improvements thereon, suitable for a city prison, is hereby authorized to issue the bonds of said city for an amount not exceeding two thousand dollars (\$2,000), which bonds may be made to run for any length of time not beyond September 1, 1884, and at a rate of interest not to exceed six per cent. per annum, interest payable semi-annually; said bonds to be negotiated in such a manner as the city council may direct; provided, the same shall not be sold for less than par.

SEC. 3. For the purpose of providing for the payment of the bonds specified in this act, and any interest that may accrue thereon, the council of said city is hereby authorized, annually, to levy such rate of tax on all the property of such city as will meet the payment of any of such bonds and the interest thereon as the same become due; provided, that the aggregate of the levy of taxes for all purposes in said city shall not exceed the maximum now provided by law.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed February 16, 1883.

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[House Bill No. 683.]

#### AN ACT

To authorize the board of education of the city of Youngstown, in the county of Mahoning and state of Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of education in the city of Youngstown, county of Mahoning, be and they are hereby authorized to borrow a sum of money not exceeding twenty-five thousand dollars, to be applied in the purchase of sites and the erection and furnishing of school buildings in said city.

SEC. 2. That for the purpose aforesaid the said board is authorized to issue bonds in such amounts and payable at such times as the board may determine by resolution, but the time of payment shall not exceed five years, and shall not be sold for less than par value, and shall not bear interest to exceed six per cent.; said bonds shall be signed by the president and attested by the clerk of said board, and for the payment of said bonds

there shall not be levied a greater tax than the maximum tax authorized by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HORR,  
*President pro tem. of the Senate.*

Passed February 16, 1883.

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[House Bill No. 593.]

AN ACT

To authorize the board of county commissioners of Fayette county, Ohio, to issue the bonds of said county for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Fayette county, Ohio, be and is hereby authorized to issue the bonds of said county, in sums of not less than one hundred dollars (\$100), nor more than one thousand dollars (\$1,000), and bearing interest not to exceed six per cent. per annum, and payable at such times not beyond five years from their date, as to said commissioners may seem proper, and to dispose of the same at not less than their par value, and in such amounts as may be necessary to discharge the liabilities of said county upon what is known as the state road bonds now due and unpaid; provided, there shall not be issued under this act, bonds exceeding in amount the sum of twenty-nine thousand dollars (\$29,000).

SEC. 2. This act shall be in force and take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HORR,  
*President pro tem. of the Senate.*

Passed February 16, 1883.

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[Senate Bill No. 207.]

AN ACT

To change the time for holding the May term of the court of common pleas in the counties of Hardin and Wood, for the year 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the time for holding the May term of the court of common pleas for the year 1883, in the counties of Hardin and Wood, be and the same is hereby changed from the 27th day of May, as fixed by the judges of the tenth judicial district, to the 28th day of May, 1883.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 21, 1883.



## [House Bill No. 440.]

## AN ACT

To amend an act passed April 10, 1880, to authorize the purchase of toll-roads in Pickaway, Green and Fairfield counties, and to convert the same into free roads. (O. L. vol. 77, p. 385.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pickaway, Green and Fairfield counties, when petitioned to do so by not less than one hundred freeholders, citizens of the county, shall, and they are hereby authorized and required, to purchase any or all of the toll-roads or parts of toll-roads within their respective counties; provided, that before such purchase is made, the commissioners of the county shall make an order submitting the purchase of said toll-roads to the electors, respectively, of each of said counties, at any regular spring or fall election, giving at least ten days' notice thereof, in at least two newspapers published in said county; and at such election the voters who are in favor of such purchase shall inscribe on their ballots, "Purchase of toll-roads—Yes;" and those opposed thereto shall inscribe on their ballots, "Purchase of toll-roads—No;" and if at any such election a majority of those voting on said question are in favor of such purchase, the said commissioners may make such purchase, but not otherwise; the vote on said question shall be returned by the judges of election to the clerk of the court of common pleas, who shall open, count, and declare the same as in an election for county officers, and certify the same to the county commissioners.

SEC. 2. In case the vote so taken shall result in favor of the purchase, three disinterested appraisers of all the roads proposed to be purchased shall be appointed as follows: one by said commissioners, one by the probate judge of said county, and the other by the court of common pleas of said county, or a judge of said court, resident of the subdivision in which said county is situate; and said appraisers, after being first sworn faithfully and honestly to discharge their duties in that behalf, shall personally inspect said roads so far as the same are within said county, and examine into the receipts thereof, and the cost of maintaining the same for the next preceding five years, and make and return in writing to said commissioners a valuation of each of said roads; and if the commissioners, from any cause, fail to purchase any road or part thereof, other appraisers may be appointed in the same manner. But nothing herein contained shall prevent the commissioners from making or receiving propositions, and to purchase at any time within two years after an appraisement has been had at the appraised price, any law heretofore passed to the contrary, notwithstanding.

SEC. 3. If the report of said appraisers is satisfactory to the commissioners and the probate judge of said county, and they or a majority of them indorse their approval thereon, as to all or any of said roads, the commissioners shall submit to the company or companies of the road or roads which have been so appraised, and the appraisal thereof approved as aforesaid, a proposition for the purchase thereof, at a price not exceeding in any case such appraisal, and if such proposition is accepted by such company or companies, the said commissioners shall thereupon purchase the same, and take conveyance thereof from such company or companies, and pay such company or companies in money, or in bonds to be issued as is hereafter specified; and thereupon such roads so pur-

chased shall cease to be toll-roads, and become free roads, to be kept in repair in the manner prescribed in the revised statutes of Ohio, passed June 20, 1879.

SEC. 4. For the purpose of paying for said roads, or parts of roads, said commissioners may issue bonds, payable at such times and in such amounts as will be as near as practicable equal to the semi-annual collection of taxes levied for that purpose, which bonds shall bear interest not exceeding six per centum, payable semi-annually, which bonds may be delivered to said companies in payment for said roads or parts of roads, or sold for money at not less than their par value; but none of said bonds shall run more than eight years from date; and for the payment of said bonds, said commissioners are authorized to levy annually, on the taxable property of said county, in addition to the taxes they are otherwise authorized to levy, such sum annually as will fully pay said bonds and the interest thereon; provided, however, that all lands or lots of lands of said county, which have been assessed for the construction of any road under said act of March 20, 1867, or acts amendatory thereof or supplementary thereto; which road has not been converted into a toll-road; and the owners thereof, who are required to pay the tax levied for such purchase, or any part thereof, shall be entitled to have repaid to them out of any tax they are so required to pay for said purchase, the amount of said assessments so paid by them or their grantors, which repayment shall in no instance exceed the amount of said tax they shall have so paid; and for the purpose of adjusting this refunding of taxes, the auditor of said county shall prepare a book of all such assessments paid in the county, in which shall be noted all amounts so refunded, and in no instance shall a greater amount be refunded to any person than the assessment paid by him, and no tax shall be refunded but on the order of the auditor.

SEC. 5. The said appraisers shall be paid by the county, upon the allowance of the commissioners, three dollars per pay and their necessary expenses, for the time actually employed in the business of their appointment, and the county auditor and county treasurer, for their services under this act, shall be entitled to one-half of the lowest rate of fees now allowed to them by law for like services.

SEC. 6. The sale under this act by any company owning a toll-road of such part of said road as lies within said county, shall not affect their organization or rights as to such part or parts of their road as may be situate outside of said county.

SEC. 7. The original act, passed April 12, 1880, is hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed February 21, 1883.

[House Bill No. 487.]

## AN ACT

To amend an act entitled "an act relative to State and county roads and unfinished free turnpikes in Pickaway county," passed April 18, 1881. (78 vol O L., p. 890).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioner of Pickaway county be and they are hereby authorized and empowered, upon such terms as they may deem for the best interest of the county and the landholders along the line of such proposed improvement, to complete any unfinished free turnpike, or improve, by graveling, or otherwise, any state or county road connecting with any free turnpike now completed, or which may be completed under the provisions of this act; and for the purpose of constructing, or aiding in the construction of such improvement, the county commissioners are hereby authorized to issue the bonds of said county in such sums as they may deem advisable, not exceeding the sum of five thousand dollars in any one year; said bonds to bear interest not exceeding the rate of six per cent. per annum, payable in one, two or three years, at the discretion of the county commissioners; and shall not be sold for less than their par value for the purpose of paying said bonds and the interest thereon as they become due, the commissioners are hereby authorized to levy a tax on all the taxable property of the county, in addition to the amount now authorized by law.

SEC. 2. Said original act is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 21, 1883.

[House Bill No. 608.]

## AN ACT

To authorize the commissioners of Pickaway county, Ohio, to build a bridge across Big Darby Creek, in Darby and Scioto townships of said county, and to levy a tax for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pickaway county, Ohio, be and they are hereby authorized to construct a bridge across Big Darby Creek, in Darby and Scioto townships of said county, just below the mill on said Darby Creek, in said township, near Harrisburg, where the old state road running from Harrisburg to "Commercial Point," in said county, crosses said creek.

SEC. 2. For the purpose of raising money to defray the expense of constructing said bridge, said commissioners are hereby authorized and empowered to issue the bonds of said Pickaway county, to be disposed of at not less than their par value, in sums not less than two hundred dollars each, bearing interest at a rate not greater than six per cent. per

annum, payable semi-annually, not to exceed in the aggregate the sum of fifteen thousand dollars, payable within ten years and redeemable at the option of said commissioners at any time after three years from the date of their issue.

SEC. 3. Said bonds shall be signed by said commissioners and countersigned by the auditor of said Pickaway county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued, when made payable, date, and when redeemable.

SEC. 4. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax for five years, upon all the taxable property of said Pickaway county, not to exceed one-tenth of a mill each year, upon each dollar valuation thereof.

SEC. 5. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 21, 1883.

[House Bill No. 655.]

#### AN ACT

To authorize the council of the village of St. Mary's, Auglaize county, to levy a tax and issue bonds to raise money to repair the town hall of said corporation and for the purchase of hose and other materials for the fire department, and to construct certain side-walks therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of St. Mary's, Auglaize county, be and the same are hereby authorized to repair the town hall of said village, and improve the fire department of said village, and to construct side-walks on new bridge over St. Mary's river in said village, and to raise money for that purpose, not exceeding five thousand dollars, in the manner hereinafter provided.

SEC. 2. The council of said village is hereby authorized to issue bonds, not exceeding in amount the sum of five thousand dollars, for said purposes; said bonds shall be signed by the mayor and clerk of said village, and may be issued in denominations of not less than fifty, nor more than two hundred dollars; said bonds shall bear interest at a rate not exceeding six (6) per cent. per annum, payable annually, and shall not be sold for less than their par value.

SEC. 3. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village are hereby authorized and required to levy a tax on all taxable property of said village, in such assessments as will each year meet the principal and interest then falling due upon said bonds.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed February 21, 1883.

[House Bill No. 538.]

## AN ACT

To provide for the issue and payment of bonds by the commissioners of Auglaize county, to meet a deficiency in the levy of the bridge fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Auglaize county, to meet and provide for a deficiency in the bridge fund for said county, be and they are hereby authorized to issue the bonds of said county for any amount not exceeding twenty thousand dollars (\$20,000), in such sums and payable at such times not exceeding ten years from the date of the same, as to said commissioners may seem proper, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually; and said bonds shall not be sold for less than their par value.

SEC. 2. That for the payment of the interest on, and for the redemption of said bonds, the commissioners of said county are hereby authorized to levy taxes upon all the taxable property of said county, at such a rate not exceeding one mill, in addition to levies for road and bridge purposes now authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay the same, as they become due and payable. Said bonds shall be signed by the county commissioners, or any two of them, and countersigned by the county auditor.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives,*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 22, 1883.

[House Bill No. 735.]

## AN ACT

To authorize the board of county commissioners of Summit county to issue bonds for the erection and completion of a children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Summit county be and they are hereby authorized to issue the bonds of said county, in a sum not to exceed twelve thousand (\$12,000) dollars, for the purpose of erecting and completion of a children's home; and that said bonds shall be issued in sums of not less than one hundred dollars, nor more than one thousand dollars, bearing interest at a rate of not more than six per cent. per annum, of not a longer date than five years, and to dispose of the same at not less than their par value.

SEC. 2. Before the issuing of said bonds or the levying of a tax for the payment of the same, the board of county commissioners shall cause to be submitted to the qualified electors of said Summit county, at the regular spring election, on the first Monday of April, A. D. 1883, the question of issuing of said bonds; those in favor of issuing said bonds shall have written or printed upon their ballots, "Completion of chil-

dren's home—Yes;" and those opposed thereto shall have written or printed upon their ballots, "Completion of children's home—No". If the returns from said election shall show that a majority of those voting upon said proposition shall have upon their ballots, "Completion of children's home—Yes", then the said board of county commissioners shall be fully empowered to proceed with the issuing and sale of said bonds. And the said board of county commissioners shall have power to levy upon all the taxable property of the county, in addition to the other taxes authorized by law, a tax sufficient to pay the principal and interest of said bonds at their respective maturities.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed February 22, 1883.

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[Senate Bill No 254.]

AN ACT

To authorize the board of education of the special school district of the village of Johnstown, Licking county, Ohio, to issue bonds, and prescribing the terms thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of the village of Johnstown, Licking county, Ohio, be and the same is hereby authorized to issue bonds of the said district, not exceeding in the aggregate the sum of ten thousand dollars, for the purpose of building a new school-house in said district; but the aggregate of said bonds shall not exceed the amount of the contract price of said new school-house.

SEC. 2. Said bonds shall each be for the sum of one hundred dollars, and shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall be due, ten in each year after their issue until the full amount has become due. Said bonds shall not be sold at less than their par value.

SEC. 3. Said bonds shall be signed by the president of said board of education, and countersigned by the clerk.

SEC. 4. For the purpose of paying the principal and interest of said bonds said board of education may, in addition to the amount they are now authorized by law to levy, levy annually a tax not exceeding five mills on the dollar, on all the taxable property of said district for ten years.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 1, 1883.

[House Bill No. 722.]

## AN ACT

To authorize the county commissioners of Clermont county, Ohio, to build an infirmary, and issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county be and they are hereby authorized to build a county infirmary in said county, at a cost for the erection of said building not exceeding thirty thousand dollars (\$30,000), to be built on the infirmary farm now owned by the county, and for that purpose they are hereby empowered to issue the bonds of said county not exceeding in amount the sum of twenty thousand dollars (\$20,000), which said sum of twenty thousand dollars (\$20,000), together with ten thousand dollars (\$10,000) of the amount now in the treasury of said county to the credit of the infirmary building fund, shall constitute the amount authorized by this act to be expended by said commissioners of Clermont county in the erection of said infirmary building.

SEC. 2. Said bonds may be in denominations of not less than fifty nor more than five hundred dollars, and payable with interest not exceeding six per cent. per annum, payable semi-annually, and have such coupons or interest warrants attached thereto as the commissioners of said county may direct. Said bonds shall be made negotiable and transferable, and be due and payable in equal amounts in one, two, three, four and five years from the date thereof, with interest and principal payable at the office of the treasurer of said county, and not to be sold for less than their par value and accrued interest. Due notice of the time and place of the sale of said bonds shall be given by publication for three weeks consecutively in two of the leading newspapers printed in and of general circulation in said county, and no expense is to be incurred for brokerage or commission in the sale of said bonds, and that said bonds shall be issued and signed by the commissioners, and countersigned by the county auditor of said county, who shall keep and preserve a record of each bond so issued in a book provided for that purpose.

SEC. 3. That the said county commissioners of Clermont county, for the purpose of paying the interest on said bonds and the principal of the same as they become due, be and they are hereby authorized and required to levy a tax annually, in addition to the taxes now authorized by law, for one, two, three, four and five years, on the taxable property of the said county, to be collected as other taxes, and applied respectively to the payment of the principal and interest of said bonds as they mature, and said tax may be for any amount they may deem necessary, not to exceed four thousand dollars (\$4,000), and the interest herein provided for in one year, and not exceeding in the aggregate the sum of twenty thousand dollars (\$20,000), and the interest thereon at six per cent. per annum, payable semi-annually. And the said commissioners are hereby invested with all the power that may be necessary to carry into effect fully and completely the provisions of this act.

SEC. 4. This act shall be in force and take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 1, 1883.

[Senate Bill No. 248.]

## AN ACT

To authorize the board of education of Ravenna village school district, Portage county, to issue bonds.

WHEREAS, The board of education of the village school district of Ravenna have in process of erection a school building, which, with the furnishing of the same, and the fixing of the grounds, will cost (\$20,000) twenty thousand dollars; and

WHEREAS, The said board have sold bonds to the amount of (\$12,000) twelve thousand dollars, for the aforesaid; and

WHEREAS, A doubt has arisen as to the legal right of the said board to issue any other bonds than the amount already issued and sold; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village school district of Ravenna, in the county of Portage, be and they are authorized to issue bonds to the amount of eight thousand dollars (\$8,000), in addition to the sum of twelve thousand dollars (\$12,000) already issued and sold, to be signed by the president and clerk of said board, and to be of denominations of not more than one thousand dollars, or less than five hundred dollars, and to bear interest at the rate of five and one-half per cent, due and payable semi-annually, and said bonds to be due at such times as the said board may determine, and to be sold at not less than par.

SEC. 2. That for the purpose of paying all of said bonds, the twelve thousand dollars already issued and sold, as well as the eight thousand hereby authorized to be issued, and the interest thereon, the said board of education are authorized and empowered to levy on all the taxable property of said school district, a tax annually, not to exceed two mills on the dollar, to pay the principal of the debt that shall fall due each year, and the interest; which levy shall be placed on the tax duplicate by the auditor of the county, and collected as other taxes, and when collected, shall be paid over to the treasurer of said school district, and the money arising from the sale of said bonds shall be applied to no other purpose than the payment of said bonds and interest.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No. 253.]

## AN ACT

Supplementary to an act entitled "an act to authorize the commissioners of Henry county to construct certain free turnpike roads," passed January 25, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*. That the provisions of the act entitled "an act to authorize the commissioners of Henry county to construct certain free turnpike roads," be and the



same are hereby extended to any or all county roads or any part of any county road in the county of Henry. The authority of the commissioners to issue bonds or create an indebtedness under this act and the act to which this is supplementary, shall be limited to an amount not exceeding ten thousand dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

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[Senate Bill No. 229.]

#### AN ACT

To authorize the board of education of Dunkirk union school district, in Hardin county, to issue bonds to complete and furnish a school-house and improve the grounds thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Dunkirk union school district in Hardin county, Ohio, be and the said board is hereby authorized to issue the bonds of said district and sell the same, not exceeding seven thousand dollars, in addition to the amount which said board is now authorized to issue, and to use the proceeds thereof in building or completing and furnishing a school-house in said district, and in improving the grounds thereof.

SEC. 2. Said bonds shall be in sums of five hundred dollars each, the first of which shall be payable not later than the year A. D. 1894, and the remainder thereof shall be made payable, one each year thereafter until all are paid. They shall bear interest at a rate not exceeding six per centum per annum, to be paid semi-annually, and shall not be sold for less than the par value thereof. Said bonds shall be signed by the president and clerk of said board upon the resolution of the board, and a complete record of the same shall be kept by said clerk.

SEC. 3. Said board of education shall cause the necessary taxes to be levied to pay the interest on said bonds and to pay the principal thereof as the same shall become due, in the manner provided by law for levying taxes for school and school-house purposes.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

[Senate Bill No 290]

## AN ACT

To provide additional means for lighting the city of Xenia.

WHEREAS, The cost of the electric light plant in the city of Xenia, owing to the purchase of more machinery and lamps than originally intended, the extra expense of performing in winter the work which has been planned and estimated for summer, and unavoidably delayed, and some other unanticipated expenses, has exceeded the original estimate and necessitated a greater outlay of money than that authorized by the act of April 5, 1882, "to provide means for lighting the city of Xenia"; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of raising money to complete the work of lighting the city of Xenia, the council of said city is hereby empowered to provide by ordinance for the issue and sale of the city's bonds, in an amount not exceeding four thousand dollars, payable in ten years, but redeemable at the city's option at any time after one year from their issue, and bearing interest at not exceeding six per cent. per annum. The said bonds shall be of such denomination and payable at such place as shall be prescribed by the city's ordinance, and shall be sold at not less than their par value.

SEC. 2. The said council shall provide by taxation the necessary means to meet the principal and interest of the said bonds as they become due, but the levy for this purpose shall not increase the levy for all purposes beyond the limit prescribed by the general law.

SEC. 3. This act shall take effect on its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 5, 1883.

[House Bill No. 576.]

## AN ACT

To authorize the commissioners of Washington county, Ohio, to levy an additional tax for bridge purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Washington county, Ohio, be and they are hereby authorized and empowered to levy upon the taxable property of said Washington county, one mill on the dollar, in addition to all levies now authorized by law, for bridge purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 6, 1883.

[House Bill No. 700.]

## AN ACT

To create two election precincts in Turtle Creek township, Warren county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Turtle Creek, in the county of Warren and state of Ohio, be and the same is hereby divided into two election precincts, for presidential, state, county, and township elections, by a line commencing at a point in the center of the Lebanon and Deerfield turnpike road where it crosses the line between the townships of Turtle Creek and Union, in said county, and running thence in a northerly direction in the center of and with the meanderings of said turnpike road until the same intersects Mechanic street, in the town of Lebanon, at Hale's Corners; thence with the center of said Mechanic street in a northerly direction to the north end of said street; thence north to the center of the Lebanon and Dayton turnpike road; thence with the center of said turnpike road to a point where the same crosses the township line between Turtle Creek and Clear Creek townships, in said county.

SEC. 2. That that part of said township lying west of said line shall be known and designated as West Turtle Creek precinct, and that part of said township lying east of said line shall be known and designated as East Turtle Creek precinct.

SEC. 3. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 6, 1883.

[House Bill No. 639.]

## AN ACT

To authorize the commissioners of Pike county to levy an additional tax for current purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Pike county, Ohio, be and are hereby authorized in the years 1883, 1884, 1885 and 1886, to levy a tax on all the taxable property of said county for general county purposes, an amount not exceeding five-tenths (5-10) of one mill, each year, in addition to the amount now authorized to be levied for said purposes, the same to be entered upon the grand duplicate of said county, and collected in the same manner as other taxes are collected; provided that, during said years, the levies made by said board of commissioners shall not, in the aggregate, exceed the amounts now fixed by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 6, 1883.

[House Bill No. 798.]

## AN ACT

To authorize the transfer of a cemetery in Guernsey county for a township burying ground.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the first Presbyterian church, of Washington, Guernsey county, Ohio, are hereby authorized and empowered to convey to the trustees of Wills township, Guernsey county, for a township burying ground, the old Presbyterian cemetery, located about one mile south-east of Washington, near the county infirmary road, and adjoining the farm of Robert Hyde.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HORR,

*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 709.]

## AN ACT

To authorize the village of Martin's Ferry, Belmont county, to issue bonds for the purpose of purchasing and improving grounds for a cemetery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Martin's Ferry is hereby authorized to issue the bonds of said village to an amount not exceeding five thousand dollars, in sums not less than one hundred nor more than five hundred dollars each, bearing interest at the rate of not to exceed six per cent. per annum, payable semi-annually, which bonds shall be made payable in not less than two nor more than fifteen years from the date of their issue, and the proceeds of which shall be used to purchase and improve grounds for a cemetery for said village, and for no other purpose.

SEC. 2. The village council of said village is hereby authorized and required to levy a tax on all the taxable property within the limits of said village, sufficient to pay said bonds and the interest thereon as the same become due; provided, funds available from the proceeds of the sale of burial lots in said cemetery are not sufficient to pay said bonds and interest.

SEC. 3. This act to take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HORR,

*President pro tem. of the Senate.*

Passed March 7, 1883

[House Bill No. 468.]

## AN ACT

To authorize the county commissioners of the county of Shelby to make additional assessments for the expenses of two-mile assessment pikes heretofore constructed or purchased in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* wherever, in the case of any road heretofore constructed, improved or purchased by the county commissioners of the county of Shelby, under any laws for the construction, improvement or purchase of roads, upon the petition of the owners of the land and town lots benefited thereby, the assessments heretofore made or levied upon such land and lots have proved insufficient to pay the expenses of such construction, improvement or purchase, the county commissioners of said county shall be and they are hereby authorized and empowered, at their regular June session, in the year 1883, to make and order an additional assessment on the land and town lots heretofore assessed for the construction, improvement or purchase of such road, sufficient to meet such deficiency and the expenses of levying and collecting the same.

SEC. 2. Upon the making of such additional assessment by said commissioners, the county auditor of said county shall place the same on a special duplicate to be provided by him, at the expense of the county, charging thereon each tract of land and town lot referred to in section one of this act, with its portion of the amount of such additional assessment in the same manner and in the same proportion as the former assessment was charged on such tract of land or town lot, and deliver to the county treasurer of said county a copy of such special duplicate at the time for delivering the general tax duplicate for the year 1883, and the treasurer shall collect and pay over the said assessments or taxes on such special duplicate in the same manner as the former assessments on such lands or town lots were required to be collected and paid over.

SEC. 3. The said auditor and treasurer shall be compensated for such special service at the rate and in the manner provided for similar service by the laws relating to two-mile assessment pikes.

SEC. 4. This act shall be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 583.]

## AN ACT

Authorizing the trustees of Camden township, Lorain county, to assist in the building of a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of the township of Camden, in the county of Lorain, and state of Ohio, are authorized to levy a tax therefor and erect a suit-

able monument in memory of deceased union soldiers of the war of 1861. The amount paid out of the township treasury towards the erection of said monument shall not exceed the sum of one thousand dollars (\$1,000).

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 7, 1883.

[House Bill No. 668.]

#### AN ACT

To authorize the council of the village of Niles, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Niles, Trumbull county, Ohio, is hereby authorized to transfer five hundred dollars from the bridge fund and five hundred dollars from the police fund of said village, to the debt fund thereof.*

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 9, 1883.

[House Bill No. 673.]

#### AN ACT

To change the surnames of certain persons named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the respective surnames of John Hunsberger, Cynthia Hunsberger, Darius Frodsham Hunsberger, Arnestena Caroline Hunsberger, Sheridan Garnett Hunsberger, Arthur Fletcher Hunsberger, Homer Egbert Hunsberger, Lotta Cynthia Hunsberger, Arlin Edith Hunsberger, John Henry Hunsberger, Clinton Freeman Hunsberger, Laura Ellen Hunsberger and Clifford Stoddard Hunsberger, residents of Summit county, Ohio, be and the same are hereby changed so as to read as follows, respectively, to wit: John Berger, Cynthia Berger, Darius Frodsham Berger, Arnestena Caroline Berger, Sheridan Garnett Berger, Arthur Fletcher Berger, Homer Egbert Berger, Lotta Cynthia Berger, Arlin Edith Berger, John Henry Berger, Clinton Freeman Berger, Laura Ellen Berger, and Clifford Stoddard Berger.*

SEC. 2. That such changes of surnames shall in no wise affect the rights, privileges and liabilities of either of said persons individually or generally.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 9, 1883.

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[House Bill No. 684.]

AN ACT

To change the name of a person named therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the name of William Nichols, a resident of Lorain county, Ohio, be and the same is hereby changed so as to be and read as follows, to wit: "George Boyd."*

SEC. 2. That such change shall in no wise affect the rights and privileges and liabilities of said person.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 9, 1883.

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[Senate Bill No. 182.]

AN ACT

To amend section one of an act entitled "an act to divide Washington township, Lucas county, into three election precincts," passed April 8, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That section one of an act entitled "an act to divide Washington township, Lucas county, into three election precincts" be and the same is hereby amended to read as follows:*

*That that part of what is now known as election precinct number one (1), of Washington township, Lucas county, be and the same is hereby divided into two (2) election precincts, for all state, county, and township purposes; one of which shall be known as precinct number three (3), and shall consist of the following described territory, to wit: all that part of said township south and south-west of the line beginning at or near the north-east corner of section twenty-seven (27), in said township, at a point where the city line crosses the north line of said section twenty-seven (27); thence west on the north line of said section twenty-seven (27) and section twenty-eight (28) to the Monroe street road; thence*

along the center of said road to the center line of section number twenty (20); thence west on the center lines of sections number twenty (20) and nineteen (19) of the west line of said township.

SEC. 2. That section one of said act is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 9, 1883.

[Senate Bill No. 204.]

#### AN. ACT

To authorize the commissioners of Clermont county to construct a certain free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county are hereby authorized to construct a free turnpike road on, or as nearly as practicable thereon, the following described route: commencing in the Ohio turnpike in the village of Withamsville, in said county of Clermont, and running thence on the old road bed, or as nearly as practicable thereto, down Shaylor creek to intersect the pike known as the Batavia pike, near the village of Willowville, on said pike.

SEC. 2. Before determining upon the construction of said road, the said commissioners shall require that the petitioners for the grant of said road shall first give bond, with approved security to the satisfaction of said commissioners, that they will construct the first mile of said road without expense to the county, beginning in the village of Withamsville, to the satisfaction of said commissioners.

SEC. 3. That said commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met by a levy of one-fifth of one mill on the dollar on the tax duplicate of said county.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax of not to exceed one-fifth of one mill on the dollar, annually, on any and all the property in said county, in addition to the taxes otherwise authorized by law.

SEC. 5. That a majority of said commissioners, at a regular session, shall be necessary to agree upon specifications and order said improvement.

SEC. 6. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 9, 1883.



[Senate Bill No. 812.]

## AN ACT

To authorize the county commissioners of Delaware county, Ohio, to levy a tax for and issue bonds in payment of county scrip issued to volunteers in the late rebellion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Delaware county, Ohio, be and they are hereby authorized to issue to each volunteer, who has heretofore been credited to said county, or some township thereof, under any requisition of the President of the United States for volunteers during the late rebellion, and who has received from said county in settlement of a bounty promised for said credit, a certificate, scrip, or promise to pay, which said certificate, scrip, or promise to pay, has not been paid for want of authority by the legislature, authorizing the levy of a tax, or for any other reason; and such certificate, scrip, or promise to pay, has not by such volunteer been sold or assigned, a warrant for the amount of such certificate, scrip, or promise to pay, together with interest thereon from the date thereof, or a bond for a like sum, bearing six per cent. interest, redeemable at the pleasure of said commissioners, not longer than one year after the date thereof. And in case of the death of such volunteer, said bond or warrant shall be issued to his legal representatives.

SEC. 2. Said bonds, when issued by said commissioners, shall be signed by them and countersigned by the auditor of said county, and as soon as practicable delivered to said volunteer or the person authorized to receive the same.

SEC. 3. For the purpose of paying said bonds or warrants, the said commissioners shall levy such tax upon the taxable property of said county, as may be required to pay the same and interest thereon; said levy shall be entered upon the duplicate and collected as other taxes, and the money raised thereby shall be applied only in payment of said bonds.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 9, 1883.

[House Bill No. 730.]

## AN ACT

To authorize the council of the incorporated village of Jackson to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Jackson, Jackson county, Ohio, is hereby authorized to transfer certain funds, as follows: The sum of one thousand one hundred and eighty-nine dollars and nineteen cents (\$1,189.19) from the street and alley fund to the general fund. The sum of two hundred and eleven dollars and twelve cents (\$211.12) from the

street and alley fund to the fire fund; provided, that the amounts hereby transferred, shall be refunded to the fund from which the same is taken, out of the taxes first collected from the general and fire funds, respectively.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 13, 1883.

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[House Bill No. 757.]

AN ACT

To authorize the trustees of Troy township, Richland county, Ohio, to dispose of land herein described.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Troy township, Richland county, Ohio, be and they are hereby authorized to dispose by sale, or otherwise, of a part of the west half of the south half of the south-east quarter of section number fourteen (14), township twenty (20), range nineteen (19), commencing at a stake in the road between land owned by Thomas and Levi Barnum, at the south-east corner of land owned by Levi Barnum, thence running north on the line running between Ambrose Baldindg's and said Barnum twelve rods, thence west fifty-eight feet, thence south twelve rods, thence east to the place of beginning; deeded to the people of Troy township, Richland county, Ohio, for burial purposes, on the tenth day of September, A. D. 1849, by Levi Barnum, and Maria Barnum, his wife, by deed of general warranty.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 13, 1883.

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[House Bill No. 767.]

AN ACT

To authorize the incorporated village of Garrettsville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Garrettsville, in the county of Portage, is authorized and empowered to transfer the sum of four hundred (\$400) dollars from the fire fund to the incorporate fund, and the sum of three hundred (\$300) dollars from the cemetery fund to the street fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 13, 1883.

[House Bill No. 786.]

#### AN ACT

To authorize the village of Caledonia, Marion county, Ohio, to issue bonds for the improvement of streets.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Caledonia, Marion county, Ohio, is hereby authorized and empowered to issue the bonds of said village, not to exceed in the aggregate, five thousand dollars (\$5,000), for such amounts, and payable at such times, not exceeding ten years from date, as the council may determine, and bearing a rate of interest not to exceed six (6) per centum, payable semi-annually, for the purpose of graveling and improving the streets of said village. Said bonds shall be signed by the mayor and clerk of said village, and shall not be sold for less than their par value.

SEC. 2. For the purpose of paying said bonds and interest thereon as each matures, the said council are hereby authorized to levy a tax not exceeding five (5) mills on each dollar of the taxable property in said corporation, in any one year, in addition to the tax now authorized by law.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 13, 1883.

[House Bill No. 777.]

#### AN ACT

To authorize the council of the village of Clyde, Sandusky county, Ohio, to issue bonds for the purpose of providing said village with a system of public water works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Clyde, Sandusky county, Ohio, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding twenty thousand dollars, bearing interest at a

rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with water-works.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village. Said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof. The principal shall be payable at such place and time as the council of said village may determine by ordinance, within a period not exceeding fifteen years, and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds, and interest not to exceed three mills on the dollar in any one year.

SEC. 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of erecting, constructing and paying for water-works of said village; which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. The question of issuing said bonds, levying said tax, and of erecting and constructing said water-works by said village of Clyde shall be submitted to a vote of the qualified electors of said village at the regular spring election, to wit: on the first Monday of April, A. D. 1883, or at a special election at the regular place of holding elections. The tickets to be voted at said election shall have written or printed thereon the words "water-works, yes." or "water-works, no," and a majority vote at said election shall decide the question.

SEC. 5. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 795.]

#### AN ACT

To authorize the village council of the incorporated village of Oberlin, Lorain county, to issue bonds for the purpose of providing said village with a system of public water works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the village council of the incorporated village of Oberlin, Lorain county, be and the same is hereby authorized to issue the bonds of said village in the sum not exceeding ten thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with water works.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof, and at such times and amounts as may be

deemed by said council necessary for the progress of the work. The principal shall be payable at such times as the council of said village may determine by ordinance within a period not exceeding ten years; and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest thereon, not to exceed two mills on the dollar in any one year.

SEC. 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of erecting, constructing and paying for water works for said village, which water works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. The question of issuing said bonds, levying said tax, and of erecting and constructing said water works for said village of Oberlin shall be submitted to a vote of the qualified electors of said village at the regular spring election, to wit: On the first Monday of April, A. D. 1883, at the usual place of holding elections. The tickets to be voted at said election shall have written or printed thereon the words "water works, yes," or "water works, no," and a majority vote at said election shall decide the question.

SEC. 5. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 874.]

AN ACT

To authorize the commissioners of Ottawa county to make repairs, alterations and additions to the court-house in said county, and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Ottawa county, Ohio, are hereby authorized to make such repairs, alterations and additions to the court-house in said county as they shall deem necessary and proper, at a cost not exceeding six thousand dollars, and for that purpose they are hereby authorized and empowered to issue the bonds of said Ottawa county in sums of not less than one hundred dollars each, and in the aggregate not to exceed six thousand dollars, which bonds shall have proper interest coupons attached, and bear a rate of interest not exceeding six per cent. per annum, payable semi-annually upon the first days of March and September.

SEC. 2. Said bonds shall be signed by said commissioners, and attested by the auditor of said county, who shall keep a record of all bonds issued and to whom issued. Said bonds shall be negotiable and payable at such place as the commissioners of said county shall determine, which place shall be specified in the bonds, and they shall not be disposed of at less than their par value.

SEC. 3. That the said commissioners are hereby authorized to levy a tax to pay the principal and interest of said bonds, not to exceed in any one year one-half of one mill on the dollar valuation of the taxable property of said county.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 801.]

AN ACT

To authorize the county commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county are hereby authorized to construct the following free turnpike road: Said road to begin at the village of Williamsburg, and thence with or near the line of the old Deerfield road to the village of Borton; and in locating said road, said commissioners may locate the same upon the whole or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same or any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose, to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment of compensation therefor; said road shall be opened not more than sixty, nor less than thirty feet wide.

SEC. 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met, at a levy of one mill on the dollar, on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement, a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax, not exceeding one mill on the dollar annually, on any and all property in said county.

SEC. 5. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications, and order said improvement or any part thereof.

SEC. 6. This act shall be in force and take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 755.]

## AN ACT

To authorize the trustees of Washington township, Belmont county, to transfer certain funds to the school-house and contingent fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Washington township, Belmont county, Ohio, be and they are hereby authorized to transfer the sum of five hundred and fifty dollars from the road fund to the school-house and contingent fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 657.]

## AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county are hereby authorized to construct the following free turnpike road: Commencing at Rural, on the Ohio river, in said county of Clermont, and thence to the village of Neville, to connect with the Neville and Boat Run road; and in locating such road said commissioners may locate the same upon the whole or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same, or any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or any unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment of compensation therefor; said road shall be opened not more than sixty nor less than thirty feet wide.

SEC. 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met at a levy of one mill on the dollar on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road or any part of the same, require and secure from those interested in said improvement a subscription or donation equal in amount to twenty per centum of the costs of said improvement to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds the county com-

missioners are hereby authorized to levy and assess a tax not exceeding one mill on the dollar annually, on all property in said county.

SEC. 5. That a majority of said board of commissioners shall, at any regular session, be necessary to agree upon specifications, and order said improvement or any part thereof.

SEC. 6. This act shall be in force and take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 632.]

AN ACT

To authorize the trustees of Pleasant township, Logan county, to purchase additional cemetery grounds for said township, improve the same, and levy additional tax to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pleasant township, Logan county, are hereby authorized and required to levy a tax on all the taxable property of said township, not to exceed five hundred dollars, for purchasing additional ground to enlarge Moor's cemetery in said township, and to make the same a township cemetery; provided, that no part of said funds shall be used to pay any debt of said township heretofore contracted.

SEC. 2. The tax levied by said trustees under the authority of this act shall be returned to the auditor of said county, and placed on the duplicate of said township, and collected as other taxes, and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purposes aforesaid, on the order of said trustees.

SEC. 3. This act shall be in force and take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 680.]

AN ACT

To authorize the trustees of the water works in the city of Steubenville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the water works in the city of Steubenville, Ohio, be and they are hereby authorized and empowered to transfer a balance of four thousand eight hundred and thirty-six dollars and twenty-one cents (\$4,836.21) remaining in the twenty-inch water main fund to the general fund of said water works.



SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 715.]

AN ACT

To authorize the commissioners of Logan county to issue bonds, and to levy additional taxes to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Logan county be and are hereby authorized to issue the bonds of said county to the amount of twenty thousand dollars, for the purpose of building and repairing bridges and culverts in said county; said bonds shall be issued at such times and in such sums as said commissioners think proper, and shall be made payable at any time within five years; said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be payable semi-annually, and when issued shall not be sold for less than their par value. The proceeds of said bonds to be paid into the county treasury, to be used as needed for the building of bridges and culverts and repairing the same in said county; provided, that no bonds shall be delivered, or money paid to any contractor, except upon estimate of work done, as the same progresses or is completed.

SEC. 2. The said commissioners are hereby authorized to levy an additional tax, not exceeding four-tenths of one mill on the dollar in any one year, for five years, on all the taxable property of said county, to meet the payment of said bonds and the accrued interest thereon.

SEC. 3. This act shall be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 718.]

AN ACT

To authorize the commissioners of Logan county to levy additional taxes to pay existing indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Logan county be and are hereby authorized to levy a tax in addition to that now allowed by law, not exceeding six-tenths of a mill on the dollar, on all the taxable property of said county, for the

years 1883, 1884 and 1885, for the purpose of redeeming the bonds of said county, and to pay the interest thereon.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 725.]

AN ACT

To repeal an act entitled "an act to authorize the county commissioners of Vinton county to make an additional levy for county purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "an act to authorize the county commissioners of Vinton county to make an additional levy for county purposes," passed May 6, 1878, vol. 75, page 1140, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 675.]

AN ACT

To authorize the county commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized to construct a free turnpike road, to begin at the village of Lindale, thence west on the old road-bed of the ten-mile valley road to the farm of John Winspear, thence with said road-bed to the Columbia and New Richmond turnpike road near the residence of Elon Ward.

SEC. 2. That said commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met at a levy of one mill on the dollar on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road or any part of the same, require and secure from those interested in said improvement, a subscription, or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one mill on the dollar, annually, on any and all property in said county.

SEC. 5. That in locating said road, said commissioners may locate the same upon the whole of said road-bed, or any part thereof, and to widen, alter, or change, or vacate the same or any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for the purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes and the payment of compensation therefor.

SEC. 6. That a majority of said board of commissioners shall, at any regular or called session, be necessary to agree upon specifications and order said improvement or any part thereof.

SEC. 7. This act shall be in force and take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

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[House Bill No. 674.]

#### AN ACT

To authorize the commissioners of Coshocton county to build bridges across the Walhonding river in said county, and to levy a tax for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Coshocton county, Ohio, be and they are hereby authorized to build three bridges across the Walhonding river, one at or near the "James Butler ford," in Jefferson township, in said county, one at or near the "Rockhaver ford," in New Castle township, in said county, and one at or near the "broad ford," in said New Castle township, at a cost not exceeding fifteen thousand dollars for each bridge, or forty-five thousand dollars for the three bridges, and for the purpose of constructing said bridges or any of them, said commissioners are hereby authorized and empowered to levy a tax upon all the taxable property of said county, in addition to the levy now authorized by law, to an amount sufficient to build said three bridges, which taxes shall be levied and collected as other taxes and applied by said commissioners in the construction of said bridges, as they shall determine.

SEC. 2. Said commissioners may, in their discretion, levy a tax sufficient to build any one of said bridges in one year or any two or all three of said bridges in one year, or one bridge annually, as the said commissioners may deem just and expedient and for the best interests of the people of said county.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 531.]

## AN ACT

For the relief of Uriah Sillick, of Amanda township, Hancock county, Ohio.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Amanda township, Hancock county, are hereby authorized and required to release Uriah Sillick and his sureties on their official bond as treasurer of said township, from the payment of the following sum of money, to wit: Nine hundred and sixty dollars (\$960); provided, that the trustees shall submit said proposition to release to the qualified electors of said township at the regular April election, and a majority of the electors of said election vote in favor of said release.

**SEC. 2.** It shall be the duty of the trustees, before submitting said proposition, to give, in one of the county newspapers of general circulation in said township, at least ten days' notice of the submission of said proposition. The form of the ballots at said election shall be as follows: "For the release of Uriah Sillick—Yes," and "For the release of Uriah Sillick—No."

**SEC. 3.** This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

[House Bill No. 696.]

## AN ACT

To divide Goshen township, Tuscarawas county, into four election precincts.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the township of Goshen, in the county of Tuscarawas, and state of Ohio, be and the same is divided into four election precincts for state, county, and township purposes; one of which shall be known as precinct No. 1, and shall include all that part of said township which lies south and west of the Tuscarawas river. Precinct No. 2, shall include all that part of said township which lies west of the center of Broadway street in New Philadelphia, extending from the Tuscarawas river on the south, along said street and the present location of the state road north to the Fairfield township line. Precinct No. 3, shall be bounded on the south by the Tuscarawas river, west by precinct No. 2, north by Fairfield township, and on the east by a line commencing at a point on the south boundary line of said township where a line dividing lots sixteen and seventeen intersects said township line; thence north along said line to the road leading from the school-house in school district No. 8 along the present location of the state road, to the ridge road, thence east along said road to the ridge road, thence east along said ridge road to the intersection of said road with the road leading from Pike run to the Beaver-dam road, thence north along said last mentioned road, and along the line dividing the south-east from the south-west quarter of section nine,

to the north-west corner of the south-east quarter of section nine, thence east to the township line, thence north to the north-east corner of the township of Goshen. Precinct No. 4 shall be bounded on the north and west by precinct No. 3 aforesaid, and on the south and east by the Goshen township lines.

§Sec. 2. That the elections in said precincts aforesaid, shall be held at such places as the trustees of said township may prescribe.

Sec. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 15, 1883.

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[Senate Bill No. 295.]

AN ACT

To create a special school district in Enoch and Stock townships, Noble county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory in the county of Noble, and in the townships of Enoch and Stock, described as follows, to wit: All of sections four (4), nine (9), sixteen (16), twenty-one (21), and the east half of sections seventeen (17), and eight (8), in Enoch township; and section ten (10), fifteen, (15), and twenty-two (22), of Stock township; and also in said Stock township the north half and the south-west quarter of section three (3), be and the same is hereby created and declared to be and to constitute a special school district.

Sec. 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for school-house and incidental expenses, in accordance with the enumeration of the year 1882, of children who are entitled to attend school; said funds being those now collected within the county or township treasuries, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

Sec. 3. This act shall take effect and be force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 21, 1883.

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[Senate Bill No. 184.]

AN ACT

To authorize the city council of the city of Lancaster, Ohio, to issue bonds for the purpose of permanently improving the streets of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Lancaster, in Fairfield county, Ohio,

be and is hereby authorized and empowered to issue bonds of said city in any sum not exceeding twenty thousand dollars (\$20,000), bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and to be of such denominations as the said city council shall by ordinance provide, but not less than fifty dollars each, and shall be made payable at such time or times as such council shall determine, not exceeding ten years from their date, and shall not be sold for less than their par value; the proceeds of such bonds to be used for the purpose of permanently improving the streets of said city, and for no other purpose; said bonds shall be signed by the mayor of said city, and be attested by the city clerk thereof. For the payment of said bonds and interest, the council of said city is hereby authorized to levy a tax of one mill in addition to the levy as fixed by law, upon all the taxable property of said city sufficient to pay the same within the time specified in this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 712.]

#### AN ACT

To authorize the city of Steubenville, Jefferson county, Ohio, to borrow money to complete and furnish a building for city hall and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Steubenville, county of Jefferson, be and it is hereby authorized to borrow money, not exceeding fifteen thousand dollars, for the purpose of completing and furnishing a building, now in process of erection, for city hall and other purposes; and the council of said city is hereby authorized to issue bonds of said city for the money so to be borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations, and to mature at such times as said council shall determine; provided, that such bonds shall not be sold for less than their par value. The president of the council and city clerk of said city shall sign said bonds.

SEC. 2. That said council of said city is hereby authorized to levy a tax on all the taxable property of said city, not to exceed one mill in each year for a term of five years, in addition to the tax already authorized by law to be levied, for the purpose of paying said bonds and the interest thereon as they become due; which levy shall be placed on the tax duplicate of said county and collected as other taxes.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 783.]

## AN ACT

To authorize the council of the village of Waterville, Ohio, to borrow money and issue bonds for the purpose of procuring a site and building a council room and jail thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Waterville be and the same is hereby authorized to procure a site, and build a council room and jail thereon, or to procure a site with a building thereon, and to repair and arrange said building in such manner as to be suitable for a council room and jail, and to furnish the same.

SEC. 2. That for the purpose of paying for said improvements, the council of said village is hereby authorized to issue the bonds of said village in an amount not to exceed six hundred dollars (\$600), for a length of time not to exceed ten (10) years, and at a rate of interest not to exceed six per cent. per annum, payable semi-annually. Said bonds shall not be sold for less than their par value, and the proceeds thereof shall be applied to no other purpose than that herein mentioned; said bonds shall be signed by the mayor of said village, and attested by said village clerk, under the seal of the corporation.

SEC. 3. The council of said village is hereby authorized and required to levy a tax, to be collected as all other taxes are, on all the taxable property within the corporate limits of said village, sufficient to pay said bonds and the interest thereon as the same may become due.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 774.]

## AN ACT

To authorize the board of education of the Uhrichsville village school district to issue bonds for the purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Uhrichsville village school district, in the county of Tuscarawas, and state of Ohio, be and it is hereby authorized and empowered to issue the bonds of said school district, not to exceed in amount the sum of eight thousand dollars, bearing a rate of interest not to exceed six per cent. per annum, payable semi-annually, and dispose of the same at not less than their par value; said bonds may be issued in denominations of not less than one thousand dollars each, and at such times as shall be necessary to pay three certain promissory notes for the sum of one thousand dollars each, executed by said board to Elias Ulrich, as trustee of the Gorley heirs, in payment of purchase price of present school site in said district, and also one-half of the present bonded indebtedness of said school district as it becomes due, and

the proceeds of the sales thereof to be applied to such purposes; provided, however, that none of said bonds so to be issued shall be made payable at a later period than October 1, A. D. 1894.

SEC. 2. That said board of education is hereby authorized to levy a tax annually upon all the taxable property within the limits of said school district to pay said bonds, together with the interest thereon, as they shall become due, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SEC. 3. This act shall be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 785.]

#### AN ACT

Repealing an act entitled "an act to authorize the village of East Liverpool, Columbiana county, to issue bonds for the purchasing and improving of grounds for a cemetery," passed March 22, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "an act to authorize the village of East Liverpool, Columbiana county, to issue bonds for the purchasing and improving of grounds for a cemetery", passed March 22, 1882, be and the same is hereby repealed.

SEC. 2. This act shall take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

[House Bill No. 820.]

#### AN ACT

To authorize the board of education of Pleasant township, in Henry county, to issue bonds to build school-houses therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Pleasant township, in Henry county, to enable said board to build two school-houses in said township, be and said board is hereby authorized to issue bonds of said township school district for an amount not exceeding three thousand dollars (\$3,000), payable as follows: one-third thereof on or before October 1, 1886, one-third thereof on or before October 1, 1887, one-third thereof on or before October 1, 1888. Said bonds shall bear interest at a rate not exceeding six (6) per centum per annum, to be paid semi-annually, and shall not be sold for less than their par value, and shall not draw interest until



sold, and the money realized on said bonds shall be used for the construction of said school-houses and for no other purpose.

SEC. 2. For the purpose of paying the bonds issued under section one of this act and the interest thereon, said board of education shall annually levy a tax on all the taxable property in said township, sufficient therefor, except such as in section four of this act is exempted therefrom.

SEC. 3. The clerk of said board of education shall keep a complete record of said bonds, showing the number, date and amount of each bond, to whom issued, when due and the rate of interest, and when the same are paid they shall be taken up, marked paid, and the fact noted on the record.

SEC. 4. That Holgate special school district, composed of sections one and two, eleven and twelve in said township of Pleasant, be and the same is hereby excluded from the operation and effect of this act.

SEC. 5. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HÖRR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

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[House Bill No. 489.]

AN ACT

To create a special sub-joint school district in the counties of Muskingum and Perry.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a sub-joint school district be created, to include the school district of Roseville, Muskingum county, and so much of school district No. 4 in Harrison township, Perry county, as is embraced in the following bounds; commencing at the south-west corner of the old Presbyterian church; thence west on the Roseville and Sattile Road to the northern line of Armstrong's addition to the cemetery; thence west to the south-west corner of the cemetery; thence north to the road leading from Roseville to Uniontown, thence east to the Zanesville road, thence south-east to the county line, to the place of beginning.

SEC. 2. This act to take effect and be in force on and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HÖRR,

*President pro tem. of the Senate.*

Passed March 21, 1883.

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[House Bill No. 706.]

AN ACT

To authorize the trustees of Steubenville township, Jefferson county, Ohio, to levy an additional tax for the support of the poor in said township, and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Steubenville, Jefferson county, be

and they are hereby authorized to levy upon the taxable property of said township (in addition to the tax now authorized by law), in the year 1883, and for four succeeding years thereafter, two-tenths of one mill for poor purposes, and upon the taxable property of said township, outside of the city of Steubenville (in addition to the taxes now authorized by law), six-tenths of one mill for road purposes. The same to be entered upon the duplicate, to be collected and disbursed in the same manner as other taxes.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 21, 1883.

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[House Bill No. 765.]

AN ACT

To authorize the village of Plymouth, of Richland and Huron counties, to issue bonds to purchase cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Plymouth, of Richland and Huron counties, Ohio, are hereby authorized to issue bonds of said village in an amount not to exceed four thousand dollars, to bear interest at a rate not to exceed six per cent. per annum, payable annually, for the purpose of purchasing cemetery grounds for said village; said bonds shall be payable, not to exceed six years after the issuing thereof, and shall not be sold for less than their par value; and said bonds shall be signed by the mayor and clerk thereof.

SEC. 2. For the purpose of raising the money to pay said bonds and the interest thereon, said council is hereby authorized to levy a tax sufficient to meet the same, in addition to the taxes now authorized by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 22, 1883.

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[House Bill No. 658.]

AN ACT

To create a new township in Jackson county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the township of Lick, in the county of Jackson (being township number seven of range number eighteen), as constitutes and lies within sections one, two, three, four, five, six, seven, eight, nine, ten,

eleven and twelve of said township, and so much of the township of Washington, in the county of Jackson (being township number eight of range number eighteen), as constitutes and lies within sections twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six of said last township, be and the same is hereby erected and established as a separate township of said county of Jackson, to be known as Coal township, and said township hereby established shall have the same rights, powers and privileges as other townships of this state.

SEC. 2. The first election of township officers of said new township shall be held on the first Monday of April, 1883, and the trustees of said original townships of Lick and Washington, shall, at least ten days prior to said first Monday of April, jointly give notice for said first election in said new township, which notice shall designate some central place in said new township where such first election shall be held.

SEC. 3. Said new township shall be entitled to receive from the county treasury and from the treasuries of the townships of Lick and Washington, respectively, such proportion of all funds now in said treasuries, or to come therein from any levy heretofore made, as was, or will be collected from the territory hereby established into a new township.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 22, 1883.

[House Bill No. 672.]

AN ACT

To create a special school district in Middlefield township, Geauga county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all of lots number twenty-one, twenty-two, twenty-nine, thirty, thirty-one and thirty-two, in the township of Middlefield, in the county of Geauga and state of Ohio, be and the same are hereby created and declared to be and to constitute a special school district.

SEC. 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for school-house and incidental expenses, in accordance with the enumeration of the year 1882, of children who are entitled to attend school; said funds being those now collected within the county or township treasury, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 22, 1883.

[House Bill No. 720.]

## AN ACT

To authorize the trustees of Richfield township, Summit county, Ohio, to build a township hall.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Richfield township, in the county of Summit, state of Ohio, be and they are hereby authorized and empowered to purchase a suitable site, and to erect thereon, and properly furnish a town hall in said township of Richfield, and to levy a tax on the taxable property of said township, not to exceed the sum of five thousand dollars (\$5,000), and the interest thereon, for said purpose. The said trustees shall be governed in their action for providing for the payment of said hall and site, and for the management thereof, as provided in sections fourteen hundred and seventy-nine and fourteen hundred and eighty of the revised statutes of Ohio.

**SEC. 2.** This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 23, 1883.

[House Bill No. 844.]

## AN ACT

To divide the first election precinct of Canaan township, in the county of Wayne, into two election precincts.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the first election precinct of Canaan township, in the county of Wayne and state of Ohio, be and the same is hereby divided into two election precincts, for presidential, state, county and township elections, as follows, to wit: That the territory included in the east half (E.  $\frac{1}{2}$ ) of section nine (9), west half (W.  $\frac{1}{2}$ ) and south-east quarter (S. E.  $\frac{1}{4}$ ) of section ten (10), sections fifteen (15), sixteen (16), seventeen (17), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33) and thirty-four (34), shall constitute and be known as the first voting precinct of Canaan township, in the county of Wayne, and the place of holding elections in said precinct shall be at the place known as the center of Canaan in said township, and the remaining portion of the first election precinct of Canaan township in the county of Wayne, and state of Ohio, including sections one (1), two (2), three (3), the east half (E.  $\frac{1}{2}$ ) of section four (4), the north-east quarter (N. E.  $\frac{1}{4}$ ) of section ten (10), and sections eleven (11), twelve (12), thirteen (13), fourteen (14), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), thirty-five (35) and thirty-six (36), shall constitute and be known as the third voting precinct of Canaan township, in the county of Wayne, and state of Ohio, and the place of holding elections in said precinct shall be in the village of Creston, in said township and county.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 23, 1883.

[House Bill No. 811.]

#### AN ACT

To authorize the commissioners of Putnam county, Ohio, to build a bridge across Auglaize river, at or near the village of Dupont, in Perry township, Putnam county, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Putnam county, Ohio, be and they are hereby authorized to build a bridge across the Auglaize river, at or near the village of Dupont, in Perry township, in said county, at a cost not exceeding twenty-five thousand dollars (\$25,000); and for the purpose of constructing said bridge, said commissioners are hereby authorized to issue the bonds of said county to the amount of twenty-five thousand dollars; said bonds shall be issued at such times and in such sums as said commissioners may think proper, and shall be made payable at any time within eight years; said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be payable semi-annually, and when so issued shall not be sold for less than their par value.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 23, 1883.

[House Bill No. 786.]

#### AN ACT

To authorize the incorporated village of Van Wert, Van Wert county, Ohio, to borrow money for street purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Van Wert, Van Wert county, be and the same is hereby authorized to issue the bonds of said village, in the sum not exceeding thirty thousand dollars, in denominations of not less than one hundred dollars, bearing interest at a rate not exceeding six per cent. per annum, from the date of issue, payable semi-annually, for the purpose of Macadamizing and improving the streets of said village.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village, and shall not be sold for less

than their par value. The principal shall be payable after three years from the date of the issue of said bonds, in annual installments of three thousand dollars (\$3,000); and the said village council is hereby authorized to levy a tax upon all the taxable property of said village, to pay said bonds and interest thereon as they become due, and the funds realized from the sale of said bonds shall be used by the council of said village for no other purpose than that specified in section one of this act.

SEC. 3. The question of issuing said bonds and levying said tax and the improvement of said streets of the village of Van Wert, shall be submitted to a vote of the qualified electors of said village at the regular spring election, to wit: on the first Monday of April, A. D. 1883, at the usual places of holding elections; notice of said election shall be given by publication in the two newspapers printed in said village, for at least ten days prior to said election. The tickets to be voted at said election shall have written or printed thereon the words, "Street improvement—Yes," or "Street improvement—No"; and a majority vote at said election shall decide the question.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 23, 1883.

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[House Bill No. 648.]

#### AN ACT

To provide for the better improvement of the roads and public highways in Gallia county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the several townships in Gallia county, shall, on the fourth Monday of March, A. D. 1883, and on the first Monday of March annually thereafter, divide their respective townships into four road districts, and four only, containing as near as may be an equal number of miles of road; and said trustees shall number said road districts, one, two, three and four, respectively, and shall furnish each road supervisor with a plat of the territory embraced in his road district, as nearly accurate as practicable.

SEC. 2. The trustees of each township in said county may, on the fourth Monday of March, in the year 1883, and on the first Monday of March, annually thereafter, in addition to all other taxes allowed by law, levy on the taxable property of their respective townships, for the purpose of opening, improving, grading, Macadamizing and repairing the public roads of such township, not to exceed one mill on the dollar valuation in any one year, and said trustees shall certify the same to the county auditor, who shall place the same on the taxduplicate, and the same shall be collected in the December installment of each year; and all road taxes so levied by said trustees and collected by the county treasurer, shall be paid over to the treasurer of the township from which the same are collected. The money arising from such road tax, shall be paid by the township treasurer only upon the order of said trustees;

all of the money so raised annually in each township, shall be expended as near equally as can be by the trustees in the four road districts of their respective townships.

SEC. 3. The qualified electors of each township in said county shall, on the first Monday in April, A. D. 1883, and annually thereafter, elect four road supervisors, and four only, in accordance with law; each road supervisor so elected shall give bond in the sum of five hundred dollars, payable to said trustees, to be approved by them and conditioned according to law, which bond shall be deposited with the township clerk. Said supervisors shall receive as compensation for their services, the sum of one dollar and fifty cents per day, for the time actually spent in supervising and working the roads in their respective districts, which shall be paid by the trustees, from time to time, as said trustees shall direct; said supervisors shall be liable to the same penalties for the non-performance of their duties as are already prescribed by law; said supervisors shall be governed by the provisions of law now in force in the state of Ohio, except as herein provided.

SEC. 4. In all cases where the said trustees deem it proper so to do, they may anticipate the tax levied for the current year, but not to exceed the amount thereof, by issuing their orders on the township treasurer against said fund in advance of the time said funds can be drawn from said treasury, for the purpose of this act, and said township trustees shall have power and control over said supervisors as to the time and manner of doing said work and the kind of work to be done, as specified in section two of this act.

SEC. 5. That the provisions of this act shall be in lieu of sections 4737, 4738, 4739 and 2830, as amended April 22, 1880 (Ohio Laws, vol. 77, page 184), 4755, 4756 and 4757, of the revised statutes of the state of Ohio, and the same are hereby declared inoperative in said county, and all other acts or parts of acts which are inconsistent with or in conflict with this act are hereby superseded in said county; and all other acts, laws or statutes, or parts thereof not excepted herein, are in as full force in said county as though this act had not been passed.

SEC. 6. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 23, 1883.

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[Senate Bill No. 238.]

#### AN ACT

To authorize the council of the incorporated village of Ashland, Ohio, to issue bonds for the purpose of completing, heating, and furnishing a public hall building at said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the incorporated village of Ashland, Ashland county, Ohio, be and it is hereby authorized to issue bonds of said village in any sum, not exceeding seven thousand dollars, for the purpose of completing,*

heating and furnishing a public hall building, and rooms therein, to be used for offices, and other purposes, and for such other purposes in the completion of said building as the council may authorize.

SEC. 2. That said bonds shall bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and shall be sold as provided in section twenty-seven hundred and nine of the revised statutes of Ohio, and shall be delivered at such times and in such amounts necessary, for the purposes aforesaid, as the council may authorize.

SEC. 3. That the council of said village, for the purpose of paying said bonds and interest, is hereby authorized to levy a tax, in accordance with law, upon the taxable property, real and personal, of said village, to be certified to the auditor of said county of Ashland, and the same shall be collected as other taxes for village purposes.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 24, 1883.

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[Senate Bill No. 260.]

AN ACT

To authorize the city council of the city of Urbana to issue bonds for the purpose of building approaches to a proposed bridge across the P., C. & St. L. and N. Y., P. & O. railways in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* for the purpose of building approaches to a proposed bridge across the P., C. & St. L. and N. Y., P. & O. railways, in the city of Urbana, Champaign county, Ohio, a bridge authorized to be built by an act passed March 29, 1881 (O. L. 78, p. 348), the council of said city be and is hereby authorized to issue the bonds of said city to any amount not exceeding eight thousand and five hundred dollars (\$8,500), bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually. Said bonds shall be for such several amounts each as the council may determine, and shall be redeemable at any time within sixteen years from the date of issue, and shall not be sold for less than their par value.

SEC. 2. That said council, for the purpose of paying said bonds and the interest thereon as the same becomes due, is hereby authorized to levy a tax annually upon all the taxable property, real and personal, in said city; provided, that the levy for this and all other purposes of said city shall not exceed the limit now authorized by law.

SEC. 3. This act shall take effect the next day after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 24, 1883.



[Senate Bill No. 269.]

## AN ACT

To suspend the establishment of county ditches in Henry county, until January 1, A. D. 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That no county ditch shall be established by the commissioners of Henry county, until the first day of January, A. D. 1885. But this act shall not apply to joint county ditches, nor to ditches which are necessary for outlets to ditches or road improvements, now established, nor to cases where proceedings are now pending; provided, also, that this act shall not apply to a ditch extending into more than one township, for which a majority of the owners of land to be taxed therefor, who are residents of the county, shall petition.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 24, 1883.

[Senate Bill No. 299.]

## AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county are hereby authorized to construct the following free turnpike road: commencing at a point in the Milford and Chillicothe turnpike, where the road known as the Xenia road crosses said Milford and Chillicothe turnpike at or near the farm known as the Dickey farm; thence on the line of said Xenia road to the village of Edenton; and in locating such road said commissioners may locate the same upon the whole or any part of said road known as the Xenia road between the points above designated, and said road shall be not more than sixty nor less than forty feet wide.

SEC. 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met by a levy of two-tenths (2-10) of one mill on the dollar on the tax duplicate of the county.

SEC. 3. That said commissioners shall, before proceeding to construct said road or any part thereof, require and secure from those interested in said improvement a subscription or donation equal in amount to twenty per centum of the costs of said improvement, to aid in the construction of such road.

SEC. 4. That for the purpose of paying said bonds the county commissioners are hereby authorized to levy and assess a tax not to exceed two-tenths (2-10) of one mill on the dollar annually, on any and all property in said county in excess of the taxes now authorized by law.

SEC. 5. That a majority of said board of commissioners shall at any regular session be necessary to agree upon specifications and order said improvement or any part thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 24, 1883.

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[House Bill No. 728.]

AN ACT

To authorize the county commissioners of Ross county to levy a tax for the purpose of constructing, extending or finishing free turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Ross county are hereby authorized, when in their judgment the public interests demand it, to cause to be constructed or finished free turnpikes on or near any state or county road in said county, of such width as in their judgment may seem best, and if the commissioners decide that the public will be benefited by changing the course of any state or county road, they shall proceed to make such change in the manner now prescribed by law for locating and changing state and county roads, and in all other respects in the construction of said roads, they shall proceed in accordance with sections forty-seven hundred and seventy, forty-seven hundred and seventy-one, forty-seven hundred and seventy-two and forty-seven hundred and seventy-three of the revised statutes; provided, that not more than ten thousand dollars shall be expended in any township for the above purpose, and when the same is not sufficient to complete such turnpike road or roads, the commissioners may receive contributions from those interested sufficient to finish the same.

SEC. 2. Before the said commissioners shall proceed to let contracts for the construction or finishing of any free turnpike road in said county, they are hereby authorized, in addition to what they are now by law allowed, to levy an additional tax on all the taxable property of the county, not exceeding for the above purposes, in the year 1883, the sum of five thousand dollars, in and for the year 1884, the sum of ten thousand dollars, and in and for the year 1885 the sum of ten thousand dollars, nor shall they let contracts to exceed the amount of the tax levied annually, and the whole amount levied under the provisions of this act shall not in the aggregate exceed the sum of twenty-five thousand dollars (\$25,000).

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 26, 1883.

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[House Bill No. 787.]

AN ACT

To authorize the village of La Rue, Marion county, Ohio, to issue bonds for the use of its fire department.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of purchasing hose and providing additional water-supply for its fire department, the council of the village of La Rue, Marion county, Ohio, is hereby authorized and empowered to issue the bonds of said village, of such denominations, not exceeding five hundred dollars (\$500) in the aggregate, and for such times, not exceeding three years from date, as the council may determine. Said bonds shall bear a rate of interest not exceeding six (6) per centum, payable semi-annually; shall be signed by the mayor and clerk, and shall not be sold for less than their par value.

SEC. 2. For the purpose of paying said bonds and the interest thereon, as such payments mature, the council of said village is hereby authorized to levy a tax upon all the taxable property of said village, not exceeding four (4) mills on the dollar in any one year, in addition to the amount now authorized by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 26, 1883.

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[House Bill No. 891.]

AN ACT

To authorize the trustees of Eaton township, Lorain county, Ohio, to erect a soldiers' and sailors' monument in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Eaton township, Lorain county, Ohio, be and the same are authorized to levy a tax on the taxable property in said township, for the purpose of raising, not exceeding the sum of \$1,200, to be expended by them in erecting a monument in memory of deceased Union soldiers and sailors; said monument to be erected in such public cemetery, in said township, as said trustees may direct.

SEC. 2. Before said tax is levied, the question of erecting said monument and levying said tax, shall be submitted to a vote of the qualified electors of said township at a regular election during the year 1883, at the usual place of holding elections. The tickets to be voted at said election shall have written or printed thereon the words, "Soldiers' and sailors' monument—Yes"; or "Soldiers' and sailors' monument—No"; and a majority vote shall decide the question.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 27, 1883.

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[House Bill No. 682.]

#### AN ACT

To provide for the distribution of the personal estate of Stephen Daniels (colored).

WHEREAS, Stephen Daniels (colored), of the county of Clarke, Ohio, in the month of August, A. D. 1864, enlisted in the Union army and received local bounty, and left with J. T. Warder, of said county, two hundred and fifty dollars thereof for safe-keeping, to be paid Daniels on his return; should he not return, to be paid to his brother on his demand; and in case of his and his brother's death, then said sum to be used for the benefit of his race; and

WHEREAS, Said Daniels died in the army, and said brother has failed to appear and claim said money, nor has any other heir of said deceased made claim thereto; and

WHEREAS, The probate court of said county, December 20, 1875, granted letters of administration to Robert J. Piles upon his said estate, and said Warder paid to said administrator said principal sum of two hundred and fifty dollars, and one hundred and seventy dollars interest; and

WHEREAS, Said Piles has resigned his said trust, and James Buford, of said county, has been duly appointed and qualified as such administrator, and as such has possession of said estate; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That James Buford, administrator of the estate of Stephen Daniels, deceased, be and he is hereby required, after settlement with the said court, and the balance due said estate thereby ascertained, pay said balance to the trustees of Wilberforce college, and their receipt therefor shall be a legal voucher in the settlement of said estate, and operate as a full discharge from all liability by reason of his said trust; and said trustees are hereby authorized to receive and receipt for said balance; and, when received, to place the same to the credit of the endowment fund of said college, and invested at interest, and not used for any other purpose except as hereinafter provided. Should the heir or heirs of said deceased appear in said court within five years from the passage of this act, and by competent evidence establish their heirship to the satisfaction of said court, and the court determines the amount he, she or they are entitled to, and

certifies the said findings to said trustees, they shall pay over to the parties so entitled thereto the amount so certified to the extent of the amount so received by them.

SEC. 2. This act to take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 27, 1883.

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[House Bill No. 827.]

AN ACT

To authorize the council of the incorporated village of Paulding, Paulding county, Ohio, to issue bonds to purchase real estate, and to construct thereon an engine house, village prison and council rooms, and for protection against fire.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Paulding, county of Paulding, be and said council is hereby authorized to issue the bonds of said village and sell the same, not exceeding ten thousand dollars, and to use the proceeds thereof in purchasing real estate and building thereon council rooms, village prison and fire engine house, and purchasing a fire engine and apparatus, and building cisterns for general fire purposes.

SEC. 2. Said bonds shall be in sums of one thousand dollars each, the first of which shall be payable in or before the year A. D. 1903, and the remainder thereof shall be made payable one each year thereafter until all are paid. They shall bear interest at a rate not exceeding six per centum per annum, to be paid semi-annually, and shall not be sold for less than the par value thereof. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and a complete record of the same shall be kept by said clerk.

SEC. 3. Said village council shall cause the necessary taxes to be levied to pay the interest on said bonds and to pay the principal thereon as the same shall become due, in the manner provided by law for levying taxes.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 27, 1883.

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[House Bill No. 854.]

AN ACT

To authorize the council of the city of Bellaire to issue bonds for the purpose of raising money to construct and build abutments and approaches to and for a bridge in said city.

WHEREAS, The citizens of the city of Bellaire have subscribed for, and are prepared to have constructed the iron superstructure for a bridge

over the Baltimore and Ohio railroad tracks so as to extend Belmont street, and have means of communication and travel between the upper and lower portions of said city, especially with the first ward; provided, the said city will build and complete the abutments and approaches thereto; and

WHEREAS, the same can only be done by the issuance and sale of the bonds of said city; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Bellaire is hereby authorized and empowered to issue the bonds of said city for the purpose of raising money to construct, build, and complete the abutments and approaches to and for a bridge to cross the Baltimore and Ohio railroad tracks at the point where said railroad intersects said Belmont street on the north and ———street on the south.

SEC. 2. The amount for which said bonds may be issued by said city shall not exceed the sum of six thousand dollars, and be in such denominations as the council may determine; shall bear a rate of interest not exceeding six per centum per annum, payable semi-annually, and one thousand dollars of the principal thereof shall be paid two years after date, and one thousand dollars each and every year thereafter until the whole is redeemed.

SEC. 3. Said bonds shall be signed by the president of the council and the clerk of said city, and bear the seal of said corporation, and shall not be sold for less than par value.

SEC. 4. For the purpose of paying the principal and interest of said bonds, the council of said city, if it shall so determine, is authorized and empowered to annually levy a tax, in addition to all other taxes now authorized by law to be levied, of not exceeding one mill on all the taxable property of said city, until said bonds and interest are fully paid.

SEC. 5. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. A. HERR,  
*President pro tem. of the Senate.*

Passed March 27, 1883.

[House Bill No. 932.]

#### AN ACT

To authorize the council of the incorporated village of New Washington, Crawford county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Washington, Crawford county, Ohio, is hereby authorized to transfer sixty-two dollars and sixty-six cents, the surplus sinking fund and interest thereon now remaining in the treasury of said village, to the corporation fund of the same.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

[Senate Bill No. 273.]

## AN ACT

To provide for the construction of sewers in the village of Kenton, Hardin county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Kenton, Hardin county, Ohio, be and it is hereby authorized to cause sewers to be constructed in and for said village in the manner hereinafter provided.

SEC. 2. When it becomes necessary, in the opinion of the council of said village, to proceed under this act to construct sewers for said village or any part thereof, it shall be the duty of said council to appoint a civil engineer for said village, who shall prepare a system of sewerage for said village, or for so much thereof as may be designated by the council. Such system may be made with a view to the division of said village into sewer districts, in which case such districts shall be designated by number and by such other designation as may be deemed proper; and when such system shall be approved by the council, it shall be adopted as the sewer system of said village or such part thereof.

SEC. 3. Any sewer which is to be used for draining or sewerage the lots and lands through, along or near which it runs only and into which no sewer other than those leading directly from such lots or lands shall empty, shall be known as a local sewer. A sewer into which one or more local sewers shall empty, shall be known as a main sewer; and one into which several main sewers shall empty, shall be known as a trunk sewer.

SEC. 4. When the council shall determine to construct any sewer specified in such system, it shall pass an ordinance therefor, which shall specify the street, lane or alley, or other grounds through which the same will pass, and the council shall direct the civil engineer to prepare plans and specifications of such sewer, showing the size, location, inclination and depth of same, together with a map or plat of the said sewer and the adjacent territory, on which shall be designated the several lots and parcels of land which will be provided with direct or local sewerage by such sewer, together with the size thereof.

SEC. 5. When such plans and specifications, and map or plat have been prepared, the council shall give at least ten days' notice, by publication in not more than two newspapers published in said corporation and of general circulation therein, stating that such plans and specifications have been prepared and where they may be inspected by parties interested, and when the same will be for hearing.

SEC. 6. At the time specified in said notice, or at a meeting to which said council may adjourn, the council shall hear the parties interested, and may if deemed proper, amend or correct the plans or specifications, or cause the same to be done; and when said plans and specifications shall have been adopted by the council, they shall, together with said map or plat, be filed in the office of the civil engineer.

SEC. 7. After the plans and specifications have been adopted by the council and filed as above provided, it shall be the duty of the civil engineer to make an estimate of the costs and expenses of constructing the work according to such plans and specifications, and report the same to the council; and if it be a main or trunk sewer he shall also make and report to the council a careful estimate of what it would cost to each

lot or parcel of land, which will be provided with local sewerage by such main or trunk sewer, to provide such lot or parcel of land with sufficient and proper local sewerage independent of such main or trunk sewer.

SEC. 8. Contracts for constructing any sewer shall be let in the manner provided by law for letting contracts by councils of municipal corporations.

SEC. 9. The costs and expenses of constructing local sewers shall be assessed upon the lots and lands along or near which the same will pass, and which can be provided with local sewerage thereby; such assessments shall be by the feet front, by general levy upon all such lots and lands in the same manner as other taxes are levied, or according to benefits, as the council may determine.

SEC. 10. The costs and expenses of constructing main sewers shall be provided for in the following manner: So much thereof as would be equal to the costs and expenses of constructing a local sewer for the lots and lands for which such main sewer will afford local sewerage, of sufficient capacity for such lots and lands, shall be assessed or levied thereon in the manner above provided for local sewers, and the residue thereof shall be levied or assessed upon the lots or lands which will be sewered into such main sewer, indirectly through local sewers; provided, that if the construction of the local and main sewers of any district shall be provided for at the same time, the aggregate cost of the whole may be levied upon all the lots and lands in such district, in the manner above provided for local sewers.

SEC. 11. The costs and expenses of constructing a trunk sewer shall be paid as follows: The estimated costs and expenses of providing local sewerage to the lots and lands along, or through which such trunk sewer shall run, shall be assessed upon such lots and lands in the manner above provided for local sewers, and the residue of the costs and expenses of such trunk sewer shall be levied upon all of the remaining lots and lands which will be sewered into such trunk sewer indirectly through main or local sewers, and for that purpose a trunk sewer district may be formed, which will embrace several sewer districts, or, if deemed equitable, such residue may be provided for by a general levy upon the whole property in said corporation, or upon all the taxable property of such trunk sewer district.

SEC. 12. If the assessment is made by the foot front the basis shall be determined by taking the total costs and expenses of constructing the proposed sewer or sewers and the necessary appurtenances and inlets, or so much thereof as would be chargeable to the lots and lands along, or through, or near which the same would pass, as herein above provided, and dividing the same by the number of feet front subject to assessment on each side of the street, lane, alley, highway, common or other ground, through or in which such sewer may be laid, the quotient forming the amount to be assessed per foot front for each side, but the council may exempt from assessment such portion of the frontage of any lot having a greater frontage than its average depth, and also so much of any frontage of corner lots as to it may seem equitable, and charge the deficiency caused thereby on the whole frontage taxed pro rata, but in so doing it shall specify in the ordinance making such assessment each lot so exempted and the portion thereof.

SEC. 13. If the assessments be made according to benefits, such proceedings shall be had as are provided in sections twenty-three hundred and eighty-five, twenty-three hundred and eighty-six, twenty-three hun-



dred and eighty-seven, twenty-three hundred and eighty-eight, twenty-three hundred and eighty-nine, twenty-three hundred and ninety and twenty-three hundred and ninety-one of the revised statutes of Ohio.

SEC. 14. After making an assessment for any sewer in either of the ways provided in this act, the council may issue the bonds of said corporation for an amount necessary to pay the costs and expenses of the location and construction of such sewer, which bonds shall bear interest at a rate not exceeding six per centum per annum, to be paid semi-annually, and not be sold for less than their par value. The time of payment of such bonds shall not be extended beyond the period of ten years from the date thereof, and a ratable proportion of such bonds shall be made payable each year, and the number of the sewer district in which such sewer is located, shall be plainly written or printed on the face of such bonds, and the council shall cause a complete record of the same to be kept.

SEC. 15. After the manner of providing for the payment of the costs and expenses of constructing any sewer shall have been determined, as provided in this act, the council shall certify the same to the county auditor, in such manner as to enable the auditor to levy the same upon the property to be charged therewith, and in case the council have determined to issue bonds to pay such costs and expenses, a sum sufficient to pay the interest thereon shall be added to such assessments and levies, and the certificate to the auditor shall state when such bonds and the interest thereon will become due, and the auditor shall levy the amount so certified to him upon the property to be charged therewith in such manner as to provide for the payment of such bonds and the interest thereon, as the same shall become due, and the same shall be collected as other taxes, and such assessments and taxes may be in addition to the aggregate of taxes now authorized to be levied in said village.

SEC. 16. The council shall prescribe rules and regulations to be observed by all persons tapping or using any sewer, and provide for the proper construction of all connections, and may by ordinance, require persons contracting to build or construct such connections, to procure a license from the mayor, and may authorize the mayor to charge such sum therefor as the council may provide.

SEC. 17. The council of said village may provide for the construction of ditches and drains within such corporation, and proceed therewith under the provisions of this act so far as the same are applicable.

SEC. 18. The council may, whenever it is deemed necessary, provide for the repair and reconstruction of any sewer, ditch or drain; and the proceedings for that purpose shall be the same, so far as applicable, as are provided in this act for the original construction thereof.

SEC. 19. The civil engineer appointed under the provisions of this act, shall be entitled to receive for his services under this act, such fees and compensation as may be provided by law for similar services in other cases.

SEC. 20. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed March 29, 1883.

[Senate Bill No 268 ]

## AN ACT

To amend an act entitled "An act to incorporate the Woodward high school of the city of Cincinnati," passed January 15, 1831.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* section five of an act entitled "An act to incorporate the Woodward high school of the city of Cincinnati," be so amended as to read as follows:

SEC. 5. All of the five trustees of the said high school and their successors in office, shall henceforth be appointed by the court of common pleas of Hamilton county, and shall have and hold the said office for the term of five years, and until their successors respectively shall be duly appointed by said court; provided, that the persons so appointed shall be and remain citizens of the city of Cincinnati during their term of office, respectively; and provided, also, that the four trustees now in office shall be allotted severally, as the said court shall determine, one of them for the term of five years, one for the term of four years, one for the term of three years, and one for the term of two years, from the date of such first appointment under this act; and the vacancy now existing shall be filled by an appointment for the term of one year from this date; and at the expiration of their said terms, the said court shall forever appoint their successors respectively for the term of five years, and until their successors are duly appointed as aforesaid, so that one shall be appointed in each year, unless to fill vacancies, and any vacancy shall be filled by said court only for the unexpired time of the several terms so directed. It shall be the duty of the said trustees to lease the said lands in the most beneficial manner, and as soon as a sufficient sum of money is raised thereby, to locate and erect a commodious building, to be used and occupied as a school-house; to procure teachers and professors of good morals, and well qualified to instruct and educate as many of the above described children as the state of the funds will allow; they shall keep the buildings in good repair, and on the first day in each year shall render a full and true account to the city council of the city of Cincinnati of all the money received by them, and all dues and demands owing to them as such, together with an account of all their expenditures and disbursements, and also all surplus moneys in their hands or in the hands of any treasurer appointed by them belonging to said trust; and the said trustees shall have power to appoint annually some good and responsible person, resident within the city of Cincinnati, to be their treasurer, requiring of him such security for the faithful discharge of his duties as they shall deem sufficient; it shall be the duty of such treasurer to receive and keep safely all moneys delivered to him by the trustees on account of the said trust, and to enter an account of the same in a book provided for that purpose, wherein he shall also keep an account of all disbursements made by him to the order of said trustees or otherwise, which book shall be open to the inspection of said trustees; and he shall, moreover, render an account of the same, as well as of all his doings in relation to said trust, on the fifteenth day of December in each year.

SEC. 2. That said original section 5 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No 255.]

AN ACT

To authorize the board of education of Ada union school district to issue bonds to pay the floating debt of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Ada union school district, in Hardin county, for the purpose of paying the floating indebtedness of said district, be and said board of education is hereby authorized to issue the bonds of said district for an amount sufficient to pay the floating indebtedness of said district, not exceeding four thousand dollars.

SEC. 2. Said bonds shall be issued by said board and signed by the president, and countersigned by the clerk thereof, who shall keep a record of the same, and shall be for one hundred dollars each, and payable, two March first, A. D. 1893, and two every six months thereafter until all are paid, and shall bear interest at not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value, and the proceeds to be used for no other purpose than that herein named; and the said board shall provide by tax, for the payment of said bonds and the interest thereon as the same shall become due.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 292.]

AN ACT

To create two election precincts in Greene township, Adams county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Greene, in the county of Adams, and state of Ohio, be and the same is hereby divided into two election precincts, for presidential, state, county and township elections, by a line commencing at the mouth of Sulphur creek, above the town of Rome in said township, and running thence up said creek, following its northern branch to the township line.

SEC. 2. That that part of said township lying west of said line shall be known and designated as Rome precinct, and that part of said township lying east of said line shall be known and designated as Sandy Springs precinct.

SEC. 3. This act shall take effect on its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 271.]

AN ACT

To authorize the board of education of the village of Brooklyn, Cuyahoga county, Ohio, to issue bonds and make an additional levy for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Brooklyn, Cuyahoga county, may, for the next five years, levy on each dollar of valuation of taxable property within said village, one mill per year additional to that now allowed, the proceeds of said levy to be used for school expenses other than for school-house purposes; and said board is hereby further authorized to issue the bonds of said village, not exceeding in the aggregate the sum of two thousand (\$2,000) dollars, payable in one, two, three, four and five years, with interest not exceeding six (6) per centum per annum, and to levy on said taxable property a sum in addition to that hereinbefore provided for, sufficient to meet the payment of the same as they become due, the proceeds arising from the sale of said bonds to be used exclusively for the purpose of procuring a site for, and erecting thereon a school-house, and for furnishing the same.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 302.]

AN ACT

For the relief of Jacob Moyer, treasurer of Troy township, Wood county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Troy township, Wood county, are hereby authorized to release Jacob Moyer and his official securities on their official bonds, as treasurer of said township, from the payment of eight hundred dollars (\$800) belonging to the school and township funds of said township, which sum of eight hundred dollars was deposited for safety in Perrysburg exchange bank, in Perrysburg, in Wood county, and was lost by

the failure of said bank; provided, that the said Jacob Moyer shall assign and transfer the judgment obtained by him against said Perrysburg exchange bank in the common pleas court of said Wood county, to the trustees of said Troy township, for the use and purposes of said township; and provided further, that the said trustees shall submit said proposition to release to the qualified voters of said township, at a general or special election, and two-thirds of said electors voting at said election vote in favor of such release.

SEC. 2. It shall be the duty of the said trustees, before submitting said proposition at a special election, to give notice by advertisement, posted in three conspicuous places in said township, at least ten days preceding said election, stating the object thereof; but if submitted at any general election, no advertisement shall be required, and the form of the ballot shall be the following: "For release—Yes;" "For release—No". The trustees shall provide a separate ballot-box for such ballot, and make due return of the result of said election to the auditor of said county.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 298.]

AN ACT

To authorize the commissioners of Monroe county, Ohio, to refund to Benjamin F. Dotson a part of forfeited recognizance paid by him.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Monroe county, Ohio, be and they are hereby authorized and empowered to refund to Benjamin F. Dotson any sum not exceeding three hundred and fifty dollars, out of the general expense fund of said county, being to reimburse the said Benjamin F. Dotson in part for the sum paid by him on the forfeited recognizance of Edward Dotson.

SEC. 2. This act shall take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 284.]

AN ACT

Authorizing the commissioners of Cuyahoga county to levy an additional tax for road and bridge purposes, and to meet a deficiency in the general county fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Cuyahoga county be and they are hereby authorized to levy for the year 1883, in addition to the amount now authorized

by law, a tax not exceeding five-tenths of one mill on the dollar of valuation of all the taxable property of said county, for road and bridge purposes; and the commissioners may anticipate the collection of such tax by borrowing any sum, not exceeding the amount so levied, or to be levied, at any rate of interest not exceeding six per centum, and issue notes or bonds therefor, payable upon the collection of such tax; provided, that one-half the fund collected upon property within the city of Cleveland shall be paid into the city treasury of said city, and shall be expended by said city for the purpose of building and repairing bridges.

SEC. 2. That for the purpose of meeting and providing for the deficiency in the general county fund of said county, the commissioners of said county are hereby authorized to add, in the years 1883 and 1884, to the levy now allowed by the general laws of the state for county purposes, a tax not to exceed five-tenths (5-10) of a mill in each year, on each dollar of taxable property in said county.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[Senate Bill No. 278.]

AN ACT

For the relief of Samuel S. Rickley.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of the sinking fund be and are hereby authorized and directed, upon the payment to them within ten days after the passage of this act by Samuel S. Rickley, of the sum of eleven dollars and ninety-one cents (\$11.91), to cancel the drafts held by the state from said Rickley, and to remit his indebtedness to the state, and are authorized to return to him his securities, and to cause his mortgage to the state to be canceled as provided in sections 4124 and 4125 of the revised statutes.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 29, 1883.

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[House Bill No. 857.]

AN ACT

For the relief of W. A. Roush.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the clerk of Salem township, Monroe county, Ohio, be and he is hereby authorized to draw an order on the treasurer of said township, in

favor of W. A. Roush, for the sum of \$96.25, being the amount due him for services as a teacher in sub-district number four of said township, from October 16, 1882, to December 30, 1882, when there is filed in the office of said clerk a duly certified statement of the local directors of said sub-district showing that the said W. A. Roush, under an agreement with said local directors, taught a common school in said sub-district from said sixteenth day of October, 1882, to the thirtieth day of December, 1882, and that there is due him for said services the sum of \$96.25.

SEC. 2. This act to take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed March 30, 1883.

[House Bill No. 698.]

#### AN ACT

To authorize the commissioners of the county of Butler to erect a new infirmary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the county commissioners of the county of Butler are hereby authorized and empowered to purchase for infirmary purposes, not to exceed one hundred acres of land, situated at some convenient point within said county, and erect thereon suitable and sufficient infirmary buildings and other necessary improvements for the proper care and accommodation of such persons as may be by law entitled to become inmates thereof. And said commissioners are hereby authorized and directed to sell the present infirmary farm, either as a whole or in parts, upon such terms of payment, and to give possession of the same or any part thereof at such time and in such manner as will be to the best interests of the county and will best carry out the intention of this act; and the proceeds arising from such sale shall be credited to the new infirmary fund.

SEC. 2. To enable said commissioners to erect said infirmary, they are hereby authorized to issue, not to exceed one hundred thousand dollars, in the bonds of said county, subject to the condition and limitations hereinafter contained; said bonds payable in one, two and three years from date of issue, to bear not to exceed six per cent. interest, payable semi-annually, and principal and interest payable at the treasury of said county, and said bonds shall be sold according to law, and proceeds thereof shall be credited to the new infirmary fund, and shall only be used for the purpose of purchasing said land and erecting and furnishing a new infirmary as herein intended.

SEC. 3. That said commissioners are hereby authorized and required to levy annually, upon all the taxable property within said county, a tax sufficient to pay the interest and so much of the principal as will annually come due, of any bonds issued by authority of this act; provided, however, that before any such purchase of land and sale of the present infirmary farm be made as aforesaid, said commissioners shall submit said questions and the amounts of bonds to be issued for said purposes herein expressed, to the qualified voters of said Butler county, in the manner herein prescribed, at an election to be called for that purpose and held within sixty days after the passage of this act, and after they

shall have given thirty days' notice thereof by publication in two newspapers of opposite politics published in said county, and in such other manner as they may adopt, and the auditor of said county is hereby authorized to make all necessary preparations and pay all the necessary expenses thereof out of the county treasury of said county. The electors desiring to retain the present infirmary farm and erect thereon new infirmary buildings, at a cost of not exceeding one hundred thousand dollars, shall have written or printed upon their ballots the words "For the old site and an issue of one hundred thousand dollars;" and those desiring the sale of the present farm, the purchase of a smaller and cheaper one, and an issue of not exceeding fifty thousand dollars of bonds, shall have written or printed on their ballots the words, for a new site and an issue of fifty thousand dollars of bonds." Said election shall be conducted in the manner required by law for conducting state and county elections; but the returns thereof shall be made within three days, to the auditor of said county and be counted, and the result thereof declared by said commissioners within five days after such returns are made.

SEC. 4. If said first-named propositions prevail, said commissioners are hereby authorized to issue, not to exceed one hundred thousand dollars of bonds for said infirmary purposes, and they shall erect the same upon the present infirmary farm. But if said last-named proposition prevail, they shall issue, not to exceed fifty thousand dollars for said purpose, and for said new site, which sum of fifty thousand dollars and the amount derived from the sale of the present infirmary farm, shall be used exclusively for said purposes, and said buildings shall be constructed, and the plans therefor prepared and adopted in the manner now provided for in the revised statutes of Ohio.

SEC. 5. Within thirty days after the result of said election is declared, there shall be appointed by the judge of the court of common pleas of said county two competent freeholders thereof, to be known as the "building committee," who shall hold their office two years, unless the court shall find that they may be sooner relieved. They are hereby authorized to act and vote with said commissioners, in selecting site, selling old site, making plans, estimates and specifications for building, awarding the contracts for labor and materials used in building said infirmary, and for furnishing the same when completed, and in determining all questions in connection therewith, until said infirmary is completed and furnished according to contracts and accepted on behalf of said county, by a majority of all said commissioners and said committee. And the court is authorized to fill any vacancy arising in said committee, from any cause, should it deem the same necessary and advisable.

SEC. 6. The members of said committee, before entering upon the discharge of their said duties, shall be sworn to honestly and faithfully discharge the same to the best interests of said county. They shall each be paid for said services out of the county treasury, upon the warrant of the auditor, the sum of three dollars for each day actually employed in the discharge thereof.

SEC. 7. This act shall take effect on its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,  
*President of the Senate.*

Passed March 30, 1883.



[House Bill No. 842.]

## AN ACT

To authorize the village of Leetonia, Columbiana county, to issue bonds to build a town hall and to light said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Leetonia, Columbiana county, Ohio, be authorized and empowered to issue bonds to the amount of seven thousand five hundred dollars, for the purpose of building a town hall and lighting said village; and said bonds shall be of a denomination not less than fifty nor more than three hundred dollars, and shall bear a rate of interest not to exceed six per cent., and shall be paid within ten years, and the council shall have power to levy taxes on all taxable property within said village for the purpose of paying said bonds. Six thousand dollars of said amount shall be expended in purchasing a site and erecting a town hall, and fifteen hundred dollars of said sum shall be applied to lighting said village, and no part of the money herein named shall ever be expended for any other purpose than that herein provided. Provided, that before any action shall be taken under this act by said village, the council thereof shall submit the same to a vote of the electors of said village at a general or special election of said village, and if a majority of the electors voting at such election shall be in favor of making said improvements, then the council may proceed under this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed March 30, 1883.

[Senate Bill No. 340.]

## AN ACT

To authorize the county commissioners of Monroe county to increase the general levy for county purposes, for the years 1883, 1884 and 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of Monroe county, Ohio, be and they are hereby authorized to levy for county purposes, an additional tax of not more than one mill upon each dollar of taxable property in said county, for the years 1883, 1884 and 1885, above the rate of tax now authorized by law for such purpose.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 3, 1883.

[Senate Bill No. 313.]

## AN ACT

To authorize the council of the city of Defiance, Ohio, to issue bonds and borrow money for building and for fire department purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Defiance, Ohio, be and they are hereby authorized and empowered to issue bonds, not exceeding twenty-five thousand dollars, bearing a rate of interest not exceeding six per cent. per annum, to be of such denominations as the said council may determine, but not less than one hundred dollars each. Said bonds shall be signed by the mayor and countersigned by the clerk of said city, and shall be payable at such time or times as the said council may determine, but not to exceed fifteen years, and shall not be sold for less than their par value, interest to be paid semi-annually; and the money arising from the sale of said bonds shall be applied to the erection of buildings for the use of the fire department, for a council chamber, for city offices, and also for the purchase of a steam fire engine and hose, for the building of fire cisterns, and for the payment of other equipments for the fire department.

SEC. 2. For the purpose of raising money to pay said bonds, and the interest thereon, said council is hereby authorized and required to levy a tax sufficient to meet the same, in addition to the taxes now authorized by law.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 3, 1883.

[House Bill No. 760.]

## AN ACT

To authorize the board of education of the village of Wilmington, Clinton county, to issue bonds, to enable them to build, enlarge and repair school-houses, and purchase sites therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Wilmington, Clinton county, in the state of Ohio, be and they are hereby authorized and empowered to issue bonds not exceeding in amount the sum of three thousand dollars, for the purpose of building, enlarging and repairing school-houses, and to purchase sites therefor, in the said village of Wilmington; said bonds shall be issued at such times and in such sums as said board of education think proper, and shall be made payable at any time within three years; said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be payable semi-annually, and when issued shall not be sold for less than their par value. The proceeds of said bonds to be paid into the village treasury to be used as needed for the building, enlarging and repairing school-houses, or in purchasing sites therefor, in said village of Wilmington. The clerk of the board shall keep a record of the number, date, amount, and rate of interest of each

bond sold, the sum for which and the name of the person to whom sold, and the time when payable, which record shall be open to the inspection of the public at all reasonable times.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 840.]

AN ACT

To authorize the council of the village of Mineral Ridge, Trumbull county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Mineral Ridge, Trumbull county, be and is hereby authorized to transfer any funds (now in the military fund and that may come into said military fund) into the general fund of said corporation.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 931.]

AN ACT

To authorize the commissioners of Highland county to construct a certain free turnpike road, provided one-third the cost thereof shall first be contributed by those interested.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Highland county are hereby authorized to construct a certain free turnpike road, if in their judgment public necessity requires it, commencing at the corporation line in Hillsborough, running thence along what is known as the Hillsborough and Marshall road, to the bridge crossing Rocky Fork creek, and in all respects in the construction of said road, they shall proceed in accordance with sections 4770, 4771, 4772 and 4773 of the revised statutes; for the purpose of paying for constructing said road, the commissioners are hereby authorized to issue the bonds of said county, for an amount not to exceed two-thirds of the cost of building said road, and the balance necessary to complete the road shall be contributed by those interested before the commissioners proceed to construct the same; one-half of said bonds shall be payable not later than the year 1884, and the balance not later than the year

1885; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually; for the purpose of paying said bonds and the interest thereon as they become due, the commissioners are hereby authorized to levy, to be collected as other taxes are, a sufficient tax on all the property of said county in addition to the amount now allowed by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 816.]

AN ACT

To authorize the board of education of the village school district of the village of West Jefferson, in Madison county, to levy an additional tax to carry on the schools therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of village school district of the village of West Jefferson, in Madison county, Ohio, be and is hereby authorized to levy a tax for the years 1883, 1884 and 1885, on all the taxable property in said district, not exceeding three mills on the dollar for each year, in addition to the taxes now authorized to be levied by law, the same to be levied and collected as other taxes, for the purpose of paying the indebtedness and supporting and continuing the schools in said district; the said taxes when collected, shall be paid to said board of education to be used for said purpose.

SEC. 2. This act shall be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 865.]

AN ACT

Authorizing and directing the levy and collection of a tax to refund certain money erroneously assessed and collected for the support of a joint sub-school district composed partly of territory belonging to Vernon township, Clinton county, and partly of territory belonging to Washington township, Warren county.

WHEREAS, In the years 1874, 1875, 1876, 1877, 1878, 1879, 1880 and 1881, there was an over-levy erroneously made and collected upon the property in Washington township, Warren county, amounting, with interest thereon, on the eleventh day of November, 1882, to fourteen hundred and thirty dollars and twenty-six cents, for the support of a joint sub-school district, composed of territory belonging partly to Vernon township, Clinton county, and partly to Washington township, Warren county; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of the auditor of Clinton county to levy on all the property in Vernon township, Clinton county, when the next levy is made for school purposes, an amount sufficient to refund to Washington township, Warren county, the amount of fourteen hundred and thirty dollars and twenty-six cents, heretofore named, with any interest that may have accrued thereon, at the rate of six per cent. from the eleventh day of November, 1882, till paid.

SEC. 2. When the taxes herein directed to be collected are paid into the treasury of Clinton county, it shall be the duty of the auditor of said county to draw his warrant or warrants upon the requisition of the clerk of the board of education of Washington township, Warren county, in favor of the treasurer of said township, who shall charge himself as treasurer of the school fund with the same.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 815.]

AN ACT

To divide Monroe township, Perry county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Monroe, in the county of Perry, state of Ohio, be and the same is hereby divided into two election precincts, as follows: The first shall be called Rendville precinct, and shall comprise sections one (1), two (2), three (3), seven (7), eight (8), nine (9), ten (10), eleven (11) and twelve (12), of township twelve (12) and range number fourteen (14); the second shall consist of the remainder of the territory in said township, and be known as the Corning precinct.

SEC. 2. This act shall be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 900.]

AN ACT

To create a special school district in certain territory in Noble and Washington counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory in the counties of Noble and Washington, described as follows, to wit: commencing at the south-west corner of the south-east quarter of section six (6) in Jefferson township, Noble county, Ohio,

running north to the north-west corner of said quarter; thence east to the north-east corner of the south-west quarter of section five (5); thence south to the county line; thence east along the county line to the north-east corner of section seventeen (17); thence south on the section line in Aurelius township, Washington county, Ohio, to the county road; thence west along said county road to the lands of R. C. Smithson; thence south to the lands of A. T. Warren; thence west to Duck creek; thence up said creek to the east line of the present voting precinct of Macksburg; thence south to the south-east corner of the south-west quarter of section seventeen (17); thence west along the section line to the south-west corner of section eighteen (18); thence north to the Noble county line; thence east along said county line, to the place of beginning, be and the same is hereby created and constituted a special school district, to be known as the Macksburg special school district.

SEC. 2. Said special school district shall have control of all school property within said district, and shall be entitled to receive its proportionate share of the school funds and the funds levied for school-house and incidental expenses, in accordance with the enumeration of the year 1882, of children who are entitled to attend school; said funds being those now collected within the county or township treasury, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 605.]

### AN ACT

To provide for village and special school districts in Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in village districts, in the county of Hamilton, the board of education shall consist of five members, except in districts organized under a law providing for only three members, who shall have the qualification of an elector therein, and in such districts the membership may be increased to five, and only one member shall be chosen at the next annual election for school officers, to serve for three years; and annually thereafter, two, except every third year, when only one judicious and competent person shall be elected, and if the board consists of three members, one such person shall be elected each year; provided, that in each special district in said county where the board of education now consists of six members, there shall be chosen at the next annual election for school officers by ballot on the second Monday of April, one member to serve for three years and annually thereafter two members to serve for three years, except every third year, when only one person shall be elected to serve for three years; five days' notice shall be given of such election. The members of such boards now in office and those hereafter elected shall serve

until their successors are elected and qualified; provided further, that the first election under this act in village districts shall not take place until the first Monday of April, 1884.

SEC. 2. This act shall be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 611.]

AN ACT

To authorize the commissioners of Lucas county to pay claim of Andrew Hemfling.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lucas county be and are hereby authorized to pay Andrew Hemfling, a sum not to exceed four hundred dollars, as they may deem just and equitable, for losses sustained in crossing a defective bridge over the Miami and Erie canal in said county.

SEC. 2. This act shall take effect on its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 775.]

AN ACT

To authorize the board of education of the incorporated Adelphi school district, Ross county, to issue bonds for the redemption of other bonds, and to authorize said board to make additional levy for the discharge of said bonded indebtedness, incurred in the erection of school buildings in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of refunding the present indebtedness of the district, the board of education of the Adelphi school district in Ross county be and they are hereby authorized to issue the bonds of said district for a sum not exceeding twenty-one hundred dollars (\$2,100), payable at such times and places as said board may determine; provided, that the bonds shall be made payable within five years after the date of the issue thereof.

SEC. 2. Said bonds shall be issued by said board and signed by the president and secretary thereof, who shall keep a record thereof, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be in sums not less than fifty nor more than one hundred dollars each, as said board may determine. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in payment of the present indebtedness of said district.

SEC. 3. The board of education of said district shall annually levy such amount of taxes, to be collected as other taxes are, as is necessary to pay said indebtedness and interest thereon as the same becomes due and payable.

SEC. 4. That the said board of education may, for the next five years after the passage of this act, levy annually on each dollar of valuation of all the taxable property of said school district four (4) mills in addition to that now allowed by law, the proceeds of said additional levy to be exclusively used for the payment of said bonds and the interest thereon, authorized to be issued by said board, in section one of this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 903.]

AN ACT

To authorize the village of Mt. Gilead, Morrow county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Mt. Gilead, Morrow county, Ohio, are hereby authorized to transfer the sums of one hundred and thirty-seven dollars and forty-seven cents from the town hall bond fund and twenty dollars and sixty-six cents from the borrowed money fund to the general purpose fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 772.]

AN ACT

To authorize the county commissioners of Hamilton county to care for and improve the property of the Longview asylum, and to appropriate certain funds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county be, and they are hereby authorized, on the written application of the board of directors of said institution, to make such repairs and improvements and to erect such additional buildings from time to time as may be necessary for the care and preservation of the property of the Longview asylum, and for this purpose the county commissioners may appropriate any moneys in the county treasury to the credit of the building fund, or any other funds now authorized by law for the erection of additional buildings to Longview asylum, and the said commissioners may further levy the tax, or any



part thereof, now authorized under section seven hundred and fifty-one (751) of the revised statutes of Ohio.

SEC. 2. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 892.]

AN ACT

To provide for the issuing and payment of bonds by the commissioners of Highland county, Ohio, to meet the deficiencies in the funds of road improvements Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Highland county, for the purpose of providing for deficiencies in the road improvement funds, be and they are hereby authorized to issue bonds of said county for an amount not exceeding in the aggregate fifty thousand dollars (\$50,000), payable at such times, not beyond six years from their date, as to them may seem proper, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually. Said bonds shall be sold as provided for by law.

SEC. 2. That for the purpose of providing for the payment of said bonds and the accruing interest thereon, said commissioners are hereby authorized to add in the years 1883, 1884, 1885, 1886, 1887 and 1888 to the levy now allowed by the general laws of the state for county purposes, not to exceed eight-tenths of a mill in each year on all the taxable property in said county.

SEC. 3. This act shall be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 5, 1883.

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[House Bill No. 948.]

AN ACT

To authorize the council of the incorporated village of Bryan, Williams county, Ohio, to issue and sell the bonds of said village, to pay off certain indebtedness and to make certain improvements in roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Bryan, Williams county, Ohio, be and it is hereby authorized to issue bonds of said village not exceeding three thousand dollars (\$3,000) in amount, one-half thereof to be payable January 1, 1884, and the other half to be payable September 1, 1884, said bonds to bear interest at a rate not exceeding six per cent. per annum, as said council may determine, and to be of such amounts each as said

council may determine; provided, that said bonds shall not be sold or disposed of for less than their par value. The council of said village shall use the money arising from the sale of said bonds to meet the outstanding liabilities of said village made in the improvement of its roads and streets and the residue, if any, in the further improvement of roads and streets of said village as the council of said village may determine.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 6, 1883.

[House Bill No. 850.]

#### AN ACT

To create an election precinct from parts of Washington and Jackson townships in Sandusky county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is created an election precinct from portions of Washington and Jackson townships, Sandusky county, within the following boundaries: Commencing at the south-east corner of section four (4), township four (4) (Jackson), range fourteen (14), Sandusky county; thence running north on the east line of said section and section thirty-three (33), township five (5) (Washington), range fourteen (14), to the north-east corner of said last-named section; thence west on the north line of said section thirty-three (33) and sections thirty-two (32) and thirty-one (31), to the west line of said Washington township; thence south on the west line of said township and Jackson township to the south-west corner of section six (6), Jackson township; thence east on the south line of said section six (6) and sections five (5) and four (4), Jackson township, to the place of beginning; and to constitute and be known as the Helena voting precinct, the remaining portions of said townships to constitute voting precincts as heretofore.

SEC. 2. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 6, 1883.

[House Bill No. 890.]

#### AN ACT

To authorize the village of Willshire, Van Wert county, Ohio, to borrow money and issue bonds therefor, to repay money borrowed for the purpose of defraying the expenses incurred by said village in suppressing the small-pox, and to levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of said village of Willshire, Ohio, be and is hereby authorized and empowered to issue the bonds of said village signed by

the mayor and countersigned by the clerk thereof, in any amount, not exceeding eighteen hundred dollars, and to sell and dispose of the same for the purpose and upon the terms and conditions provided in section two of this act.

SEC. 2. Said bonds shall severally be for such amount as the said council may determine, with proper interest coupons attached and bear interest at any rate not exceeding six per cent. per annum, payable semi-annually, and be made payable in not exceeding fifteen years, nor less than five years from the date of their issue, and at such place as the council of said village may determine, and they shall not be sold or disposed of for less than their par value, and the money so realized from said bonds shall be used in repaying the sums of money borrowed in July, 1882, to prevent the spread of and to suppress the small-pox in said village.

SEC. 3. That the council of said village, for the purpose of paying the said bonds and the interest thereon as the same matures, is hereby authorized and required to levy a tax annually in sufficient amount for that purpose, upon all the taxable property, real and personal in said village in addition to the amount otherwise allowed by law, until said bonds and interest are paid, and which tax shall be certified to the auditor of said county of Van Wert, and collected as other taxes for village purposes are collected.

SEC. 4. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

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[House Bill No. 749.]

#### AN ACT

To provide for the drainage of certain swamps in Lafayette township, Coshocton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the board of trustees of Lafayette township, in Coshocton county, if, in their opinion and judgment, the same will be conducive to the public health and welfare of the people of said township, be and they are hereby authorized and empowered to locate and construct a ditch or drain of sufficient size and capacity to drain and carry therefrom the water that may accumulate in what is known as the "Wiggins Swamp", in the south-east quarter township of said township of Lafayette, and being on the lands of Thomas Wiggins, and from two other swamps in the south-west corner of the north-east quarter township of said Lafayette township, and being on the lands of Louis Leighninger, Henry Shaw and George Wiggins, by the shortest and best route practicable into such outlet as said trustees in their judgment may think best.

SEC. 2. Said board may, if they deem it necessary, employ a competent engineer, who shall view the work proposed as directed by said

board, and make the necessary survey, and establish surface and grade lines, together with accurate computations of the same, and file his report thereof with the clerk of said township.

SEC. 3. When the report of the engineer has been filed and accepted by the board, the proposed work and the letting of the same shall be advertised in one or more newspapers of general circulation in Coshocton county for two weeks, and at the expiration of which time the proposed work shall be sold at public sale, at the office of the clerk of said Lafayette township, to the lowest bidder or bidders, who shall thereupon give good and sufficient bond or bonds, to be approved by the board, for the completion of the proposed work.

SEC. 4. If any application be made for lands taken for, or damages sustained by construction of said ditch or drain, such proceedings shall be had for the ascertainment thereof as is or may be required by law providing for the construction of township ditches, including the right of appeal.

SEC. 5. Said board of trustees shall cause the total cost of said improvement, and all damages allowed and expense incident thereto, to be assessed upon the taxable property of said township, and the clerk thereof shall certify the same to the auditor of said county, who shall place the same on the general tax duplicate thereof, and cause the same to be collected in such year or years as the trustees of said township may direct; provided, that the said trustees may also assess such part of the cost of the construction of said work upon any land that may be benefited thereby as in their judgment may be just and equitable; not exceeding thirty per cent. of the entire cost thereof.

SEC. 6. Upon the completion of said work the board shall direct the clerk of said Lafayette township to issue to the contractor or contractors certificates for the amounts due him or them, which amounts shall be paid by the county treasurer, upon the warrant of the county auditor, when said assessment for said work may be collected; and if at the presentation of any certificates, all the assessments have not been paid, payment thereon shall be made *pro rata*, and the compensation of the township clerk and the trustees, and all others required to perform any service under the provisions of this act, shall be the same as provided by law for like services in other cases, and shall be paid out of the assessments collected as herein provided.

SEC. 7. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

[House Bill No. 744.]

#### AN ACT

To amend section 2824 of the revised statutes, limiting the power of the county commissioners of Athens county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Athens county shall at their March session, in 1884, and annually thereafter, levy not more than one and one-half mills upon*

the dollar valuation of taxable property of said county, for the purpose of building and keeping in repair the bridges and culverts therein, and said commissioners may anticipate the collection of taxes under this act by borrowing any sum not exceeding the amount levied thereunder, at a rate of interest not exceeding six per cent. per annum, payable on the collection of such taxes; provided, the amount so borrowed and the interest thereon shall in no case exceed the amount of the levy.

SEC. 2. That so much of section 2824 of the revised statutes of Ohio as conflicts with this act, is hereby superseded and declared to be inoperative in the county named in this act.

SEC. 3. This act shall take effect October 9, 1883.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

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[House Bill No. 710.]

AN ACT

To authorize the trustees of Elizabeth township, Lawrence county, Ohio, to issue bonds and to levy a tax for paying the expenses made on account of small-pox.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of Elizabeth township, of Lawrence county, be and are authorized to make and issue bonds of said township, to be signed by the trustees, and countersigned by the clerk thereof, in any amount not more than ten thousand dollars, and that they issue, as aforesaid, bonds enough to pay the said indebtedness and incidental expenses therewith connected, and no more.

SEC. 2. Said bonds shall be for such sum each, as said trustees shall direct, and may bear interest not more than six per cent. per annum, payable semi-annually at the treasury of said township, and the principal of all such bonds shall be payable at said treasury, at such times, within twelve years from the date of the same, respectively, as said trustees may order, which shall be expressed on the face of each bond, and said bonds shall be numbered in consecutive order and registered by the clerk of said township, in a suitable book to be provided for that purpose.

SEC. 3. The trustees of said township are required to levy a tax annually, upon all the taxable property of said township, sufficient to pay the interest and all of said bonds as the same shall become due; such levies to be certified to the auditor of said county, and collected the same as state and county taxes.

SEC. 4. This act shall be in force from the time of its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 6, 1883.

[House Bill No. 910.]

## AN ACT

To authorize the county commissioners of Montgomery county to take charge of, use, and control a certain road therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Montgomery county, in the state of Ohio, be and they are hereby authorized to take charge of, use, and control as a county road, that part of the Dayton and Brant pike between the following points, commencing at the south line of Miami county, and thence south into the said county of Montgomery, for a distance of three miles.

SEC. 2. That when said commissioners of said county shall take possession of said roads, in obedience to the provisions of section one of this act, the same shall be held by said commissioners, and kept in repair in the same way and manner as has been provided for the balance of said road, under the provisions of an act of the General Assembly, passed April 12, 1880, O. L., Vol. 77, 1880, and the provisions in said act, in reference to maintenance and repair of said road, shall apply to and authorize said commissioners to keep said part of said road herein referred to in the first section of this act in proper condition and repair.

SEC. 3. That this act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 924.]

## AN ACT

To authorize the commissioners of Wood county to make an additional levy for bridge and current expense purposes, for the years 1883 and 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Wood county, Ohio, be and they are hereby authorized in the years 1883 and 1884, in addition to the taxes now authorized by law, to levy a tax of one and one-half ( $1\frac{1}{2}$ ) mills upon the dollar valuation of the taxable property of said county; and of the funds arising from said levy, one-third shall be credited to the current expense fund, and two-thirds to the bridge fund of said county.

SEC. 2. The levy authorized in section one of this act, shall in no case exceed one and one-half mills, and in anticipation of the fund arising therefrom, the commissioners of said county may borrow money not to exceed the amount thereof, at a rate of interest not exceeding six per cent. per annum.

SEC. 3. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

[Senate Bill No. 806.]

## AN ACT

To authorize the trustees of Salem township, Ottawa county, Ohio, to join with the incorporated village of Oak Harbor, in said township, to construct a town hall, for the joint use of said township and village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Salem township, Ottawa county, Ohio, and the council of the incorporated village of Oak Harbor, in said township, be and they are hereby authorized to join in the purchase of grounds for, and in construction of a town hall, in the village of Oak Harbor, for the joint use of said township and village.

SEC. 2. The trustees of said township and the council of said village shall pay for the purchase of said grounds and construction of said town hall in equal shares, and the legal title of the land or lot on which such hall shall be constructed shall, in like manner, be held jointly by the aforesaid trustees and village council.

SEC. 3. The said trustees and village council be and are hereby authorized, for the aforesaid purpose of building of said town hall in said village, to issue the bonds of said township in sums of not less than fifty, and not more than five hundred dollars each, bearing not to exceed six per cent. interest, payable semi-annually, which bonds shall be made payable in reasonable installments, not exceeding ten years, and shall not be disposed of for less than their par value; said bonds to be signed by the trustees and clerk of said township; and provided, that the total amount of said bonds so issued, shall not exceed the sum of six thousand dollars; and provided, further, that said trustees shall first submit the question of building such town hall, and buying said lot for the above named purpose, to the qualified electors of said township, at a general or special election, having first given at least five days' notice of the same by posting said notices in at least five public places in said township.

SEC. 4. The electors voting at said election shall have written or printed on their ballots, "Tax for town hall purposes—Yes;" "Tax for town hall purposes—No;" and if a majority of all the electors voting at said election upon the question submitted, shall vote "Tax for town hall purposes—Yes," said town hall shall be built, and the trustees of said township and the council of said village shall, each of them, levy a tax to pay the interest and principal of said bonds when the same may become due.

SEC. 5. The trustees of Salem township are authorized to sell the present town hall and site in said township, at private or public sale, to the best advantage, and execute conveyance to the purchaser, and apply the proceeds of said sale to the construction of a new town hall, as herein provided; and the village council of Oak Harbor are in like manner authorized to appropriate and use any money now in the treasury of said village corporation heretofore levied and collected for the construction of a town hall in said village.

SEC. 6. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HÖRR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

[Senate Bill No. 267.]

## AN ACT

To authorize the trustees of Put-in-Bay township, and the council of the incorporated village of Put-in-Bay, Ottawa county, Ohio, to purchase a site and erect thereon a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the trustees of the township of Put-in-Bay, Ottawa county, Ohio, and the council of the incorporated village of Put-in-Bay, said county and state, be and they are hereby authorized to unite in building a town hall, and to raise money for that purpose, not to exceed in the aggregate the sum of six thousand dollars (\$6,000), in the manner hereinafter named.

SEC. 2. That the trustees of said township be authorized to issue bonds not exceeding in amount the sum of four thousand dollars (\$4,000), and that the council of said village be authorized to issue bonds not exceeding in amount the sum of two thousand dollars (\$2,000), which bonds may be used in purchasing a site, and building and finishing said town hall. Said bonds shall not be sold for less than their par value, and the proceeds of such sale shall be applied to said purpose. Said bonds may be issued in denominations of not less than fifty dollars and not more than one hundred dollars, bearing interest at the rate of six (6) per cent. per annum, payable annually. Said bonds to mature in one, two, three, four and five years from date of issue of same, and in such amounts each year as said trustees and council may direct respectively. Said township bonds to be signed by the trustees, and countersigned by the clerk of Put-in-Bay township, and said village bonds to be signed by the mayor and countersigned by the clerk of the incorporated village of Put-in-Bay.

SEC. 3. That for the payment of said bonds and interest on same, said trustees and council be authorized and required to levy a tax on all taxable property within said township and village respectively, in such amounts as will be necessary to meet the payment of said bonds and interest as they shall become due; which levy shall be placed upon the tax duplicate by the auditor of said county, and collected as other taxes.

SEC. 4. Before said trustees and council shall have the right to issue bonds, the question of issuing the same shall be submitted to the qualified electors of said township and village respectively, at a regular or special election, called by said trustees and council respectively, of which at least ten days' notice shall be given by posting notices in five of the most public places within said township and village, of the time and places of holding such elections. Said elections shall in all respects be held the same as other elections are required to be held by law, and all those in favor of the proposition, shall have written or printed on their ballots "For town hall—Yes," and those voting against shall have written or printed on their ballots "For town hall—No;" and if a majority of the electors voting at each of said elections on said question shall vote in favor of the same, then and not otherwise shall said trustees and council be authorized to issue said bonds respectively.

SEC. 5. That the trustees of said township and the council of said incorporated village of Put-in-Bay shall form a committee, whose duty it shall be to make all necessary contracts for the purchase of said site, and erection of said town hall, according to plans accepted by them, and shall prescribe rules and regulations for the government of said hall,



after the same is completed, and to keep the same in good repair and preservation.

SEC. 6. Said town hall to be erected within the limits of the incorporated village of Put-in-Bay, Ohio.

SEC. 7. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

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[Senate Bill No. 281]

AN ACT

To authorize the council of the incorporated village of Kent, and the trustees of Franklin township, in Portage county, to issue bonds for the purchase of additional land for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Kent, and the trustees of Franklin township, in Portage county, as a joint board, be and the same are hereby authorized to purchase additional land for cemetery purposes, and to issue bonds for that purpose, not exceeding six thousand dollars (\$6,000) in the manner hereinafter provided.

SEC. 2. The council of said village is hereby authorized to issue the bonds of said village, not exceeding in amount the sum of four thousand dollars (\$4,000), which bonds shall not be sold for less than their par value, and the proceeds thereof shall be applied to the payment of such additional land so purchased.

SEC. 3. The trustees of said township are hereby authorized to issue the bonds of said township, not exceeding in amount the sum of two thousand dollars (\$2,000), which bonds shall not be sold for less than their par value, and the proceeds thereof shall be applied to payment of such additional land.

SEC. 4. Said bonds as aforesaid authorized, shall be issued in denominations of not less than fifty dollars, and not more than one hundred dollars, bearing interest at a rate not exceeding six (6) per cent. per annum, payable annually; the payment of said bonds shall not extend beyond a period of eight years.

SEC. 5. To provide for the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized to levy a tax on all the taxable property in said incorporated village in such amounts as will each year meet the principal and interest falling due upon the bonds issued as aforesaid by said village council, and the trustees of said township are hereby authorized to levy a tax on all the taxable property in said township which is situated outside of said incorporated village, in such amounts as will each year meet the principal and interest falling due upon the bonds issued by said trustees for the purpose aforesaid.

SEC. 6. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

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[Senate Bill No. 283.]

AN ACT

To authorize the city of Warren, Trumbull county, Ohio, to borrow money to repave Mahoning avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Warren, county of Trumbull, be and it is hereby authorized to borrow money, not exceeding ten thousand dollars (\$10,000), for the purpose of repaving Mahoning avenue of said city; and the council of said city is hereby authorized to issue bonds of said city for the money so borrowed, said bonds to bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and said bonds shall be of such denominations and shall mature at such times as the council shall determine; provided, that said bonds shall not be sold for less than their par value.

SEC. 2. That said council of said city is hereby authorized to levy a tax on all the taxable property within the corporate limits of said city, to pay said bonds, together with the interest thereon, as they shall become due; which levy shall be placed on the tax duplicate, and collected as other taxes.

SEC. 3. This act shall take effect from and after its passage.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

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[Senate Bill No. 296.]

AN ACT

To provide for lowering or removing a dam across Musquito creek, at Niles, Trumbull county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Trumbull county, when petitioned to do so by not less than ten freeholders of said county, owning lands abutting upon or intersected by Musquito creek, in said county, may purchase the right to lower or entirely remove the dam in said Musquito creek, at Niles, in said county, formerly built and owned by the Heatons, and now owned by one Hiram Ohl and others; provided, said commissioners are satisfied that the removal of said dam or the lowering thereof will be conducive to the public health, convenience or welfare.

SEC. 2. Upon the filing of the petition aforesaid, the commissioners

shall appoint a day for hearing, and thereupon the petitioners, or some one or more of them, shall serve notice in writing of the filing of such petition and the time of hearing, upon all persons likely to be interested in said hearing, and after full hearing upon said petition, if said commissioners find that a majority of all persons to be benefited by such removal or lowering are in favor of the same, and that such removal or lowering will be for the public health, convenience or welfare, the said commissioners shall appoint three competent and disinterested freeholders of said county a committee to appraise and determine the damages which would result to the owner or owners of such dam by reason of removing or lowering the same in the manner proposed, and apportion the same to the person, companies and corporations to be benefited thereby; and said appraisers, after first being duly sworn faithfully and honestly to discharge their duties, shall personally inspect and full inquiry make as to such damages, and shall make return thereof in writing to said commissioners.

SEC. 3. In case of disability or refusal to serve upon said committee at any time, said commissioners shall fill the vacancy by similar appointments, and in case the report of damages is satisfactory to said commissioners, they shall submit to the owner or owners of said dam and water right a proposition for the purchase of the right to remove or lower such dam, as the case may be, at a price not to exceed such appraised value, and if such proposition is accepted by said owner or owners, the said commissioners shall thereupon enter into a contract with said owner or owners for the purchase of such right.

SEC. 4. As soon as said purchase is made, said committee shall proceed to inspect, personally, the lands along said stream, including the public highways, and shall ascertain the location, boundaries and extent of all public and private property to be benefited by the removal or lowering of said dam, and shall apportion said price and expenses to said property, including said public highways, in proportion to the benefit to each, and shall in writing report said findings and apportionment to said commissioners.

SEC. 5. When an apportionment is reported, said commissioners shall appoint a day of hearing, and cause a notice in writing to be sent to all persons to whose property a portion has been assigned, notifying said persons of the nature and time of hearing upon said report, and upon full hearing, said commissioners shall either set aside said apportionment and order a new apportionment, or shall confirm the same.

SEC. 6. When said commissioners are satisfied that an apportionment has been made that is just, they shall pay the amount apportioned said public highways out of the road or bridge fund, and shall order the sum apportioned to each property owner to be placed upon the tax duplicate of the county, and assessed against said persons, and the same shall become a lien upon said property from and after said assessment, and shall be paid like other taxes. And thereupon said commissioners shall pay said price and expenses incurred in making such purchase out of any fund available for such purpose, but if no fund is available, then said commissioners may issue bonds in amount sufficient to pay said purchase price and expenses, to draw interest at a rate not exceeding six per centum per annum, and to become due at a time when the same can be met by the special assessment authorized in this act.

SEC. 7. The said appraisers shall be paid by the county, upon the allowance of the commissioners, three dollars per day, and their necessary

expenses for the time actually employed in the business of their appointment, and the county auditor and treasurer shall be allowed for their services under this act, the lowest rate of fees now allowed to them by law for like services.

SEC. 8. This act shall take effect and be in force from and after its passage.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

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[House Bill No. 717.]

AN ACT

To straighten the boundary line between Logan and Shelby counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the boundary line between Logan and Shelby counties be changed so as to run parallel with section lines instead of angling across them as it now does, to wit: That said line be located on the north and south center line of section number thirty-six, township six, south, range seven, east, and sections one, twelve, thirteen, twenty-four, twenty-five and thirty-six of township seven, south, range seven, east to the Greenville treaty line, thence with it west to the center of the east half of section twenty-nine, township two, range eight, east, thence with the line through the center of the east half of said section number twenty-nine and section thirty-two, range eight, east, and of sections five, eight, seventeen and twenty to the Great Miami river.

SEC. 2. The proposition to change the county lines of said counties as above provided shall be submitted to the qualified electors of said counties at the next annual election, to be held on the second Tuesday of October, 1883. Those who are in favor of the change will indorse on their ballots, "Change of county line—Yes;" those who are opposed will indorse on their ballots, "Change of county line—No." If a majority of all the votes in each county shall be in favor of changing the county lines, then the boundaries of said counties shall hereafter be established as in section one of this act, and the lands changed hereby shall be transferred to the duplicate of the county in which they may become situate.

SEC. 3. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 713.]

## AN ACT

To provide for the better improvement of the roads and highways in Jefferson county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be lawful for the qualified electors in each township in Jefferson county, on the first Monday in April after the passage of this act, and annually thereafter, to elect two road superintendents, and two only, in accordance with law, whose duty it shall be, within thirty days after their election, to lay out and divide all the public highways in their respective townships, into sections, not exceeding one-half mile in length, which they shall number and describe, in a book kept by them for that purpose, and they shall also distinctly specify therein what they may deem necessary for the improvement and keeping in repair each section of said public highways during the following year; provided, that after said public highways have been once divided off into said half-mile sections and numbered and described as aforesaid, it shall not be necessary to lay out and divide the same oftener than once in every three years thereafter, unless in the judgment of the trustees of such township the best interests thereof require it done oftener.

SEC. 2. That it shall be the duty of said superintendents to expose all the said public highways, one section at a time, at public sale, to the lowest and best bidder, commencing on the first Monday in May in each year, or as soon after their election as practicable, and to continue from day to day until all are sold, of which sale at least ten days' notice shall be given; by not less than twelve notices posted in the most public places in such township; and the person or persons who bid off any section or sections of said highways shall give bond to the trustees of such township, in double the amount of their bid or contract price, conditioned for the faithful performance of every contract so purchased by them, as the road superintendents may require.

SEC. 3. That said road superintendents shall divide all roads that may hereafter be laid out in said township, into sections not exceeding one-half mile in length, number and describe them, specify the nature and character of the work to be done, etc., as provided, within twenty days of the time they receive the order for the opening of any road, and after giving ten days' notice thereof shall proceed to sell the same, at public sale, in manner and form already provided, for such a length of time as they may deem necessary, for the opening of the same, after which they shall be kept in repair, in the same manner as other roads in such township.

SEC. 4. That it shall be the duty of each purchaser to write his or their name or names, and the sum he or they are to receive for repairing his or their section or sections, in the superintendents' book, under the description thereof; and any contractor or contractors neglecting or refusing to keep his or their section or sections in repair in conformity thereto, upon complaint of any citizen of said township, made to the superintendents thereof, it shall be their duty to examine thereinto, within four days, and if they deem the complaint well founded, to give notice thereof to the party or parties so complained of, and request him or them to put his or their portion of road in good repair within six days thereafter; and if he or they shall still neglect or refuse to repair the

same, it shall be the duty of said superintendents to have the same put in good repair, and the cost of said repairs shall be recoverable by the trustees of said township of said contractor or contractors, as other debts of like amounts are by law recoverable, with costs of suit.

SEC. 5. That it shall be the duty of said road superintendents to inspect all the roads in the township at least once in every two months, and if they find any contractor or contractors have neglected to fulfill his or their contract or contracts, to give notice thereof as provided in the preceding section in case of complaints being made, and to enforce the same.

SEC. 6. That it shall be the duty of the trustees in each and every township in said county adopting the provisions of this act, to levy on the taxable property of their respective townships such a rate of tax not exceeding three mills on each dollar of valuation as will meet the sale and other expenses incident to the making and keeping in repair said public highways in each year; and in all cases when the trustees of any such township deem it proper so to do, they may anticipate the tax levied for the current year, but not to exceed the amount thereof, by issuing their orders on the township treasurer against said fund in advance of the time said funds can be drawn from said treasury for the purposes of this act.

SEC. 7. That it shall be lawful for any contractor or contractors, who may remove out of the township, to yield up to the road superintendents the unexpired portion of his or their contract or contracts, by giving due notice thereof in writing, at least twenty days before the next election for superintendents, and the unexpired term of such contract or contracts so yielded up, and any section of new road that may have been opened, shall be sold at private sale, by the supervisors, for the unexpired portion of any year; provided, that in case of death or removal out of the township, said superintendents shall pay to the representatives of such deceased person, or to such person so removing, such portion of the money specified in their respective contracts as they shall believe them justly entitled to.

SEC. 8. That said superintendents shall have the right to reject any bids that they may deem too high, and sell such section or sections at private sale.

SEC. 9. That said superintendents shall each keep a regular and strict account of the kind of services performed by them and the number of days so employed, and shall be allowed the sum of two dollars per day for each day necessarily employed in discharging the duties of their office.

SEC. 10. That any superintendent, duly elected, neglecting or refusing to perform the duties herein assigned him, shall be subject to all the fines and penalties as now provided by law for supervisors.

SEC. 11. That such parts of the existing road laws in the state of Ohio as are inconsistent with this act, are held to be inoperative in such township or townships of said county as may adopt the provisions of this act, especially sections 1459, 2830, 4738, 4739, 4755, 4756 and 4757 of the revised statutes of Ohio, are superseded by this act in such township or townships.

SEC. 12. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

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[House Bill No. 634.]

AN ACT

To authorize the trustees of Miami township, in Logan county, to levy a tax on the Quincy precinct of said township, and issue bonds for the purchase of cemetery grounds and the improvement thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Miami township, Logan county, Ohio, be and are hereby authorized to issue bonds to the amount of four thousand dollars, payable in one, two, three, four and five years, bearing a rate of interest not exceeding six per cent., payable semi-annually, for the purpose of purchasing and improving of cemetery grounds for said Quincy precinct; said bonds shall not be sold for less than their par value, and shall be signed by the trustees of said township and be attested by the clerk of said township.

SEC. 2. For the purpose of raising the money to pay said bonds and the interest thereon, as each matures, the said trustees are hereby authorized to levy a tax, not exceeding one mill on the dollar in any one year, on all the taxable property in the Quincy precinct of said township, in addition to the taxes now authorized by law, to meet said indebtedness; provided, that no part of said funds shall be used to pay any debt of said township or precinct thereof, heretofore contracted.

SEC. 3. This act to take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

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[House Bill No. 830.]

AN ACT

To authorize the county commissioners of Clermont county to purchase that part of Ohio turnpike situated in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of the county of Clermont be and hereby is authorized to purchase, for said county, that part of the Ohio turnpike road situate in the county of Clermont, and thereafter to be a free turnpike, and kept in repair as other free turnpike roads in

said county. When purchased, and before any payment is made therefor, the owner or owners shall execute to the county of Clermont a good and sufficient deed of conveyance, and to the satisfaction of said board of county commissioners.

SEC. 2. That before said purchase is made, there shall be filed in the office of said board of county commissioners, by the persons interested in the purchase of said part of said Ohio turnpike, a guarantee by subscription or otherwise, to the satisfaction of said board, of twenty per cent. of the amount of purchase money of said part of said Ohio turnpike road. When the purchase is made and deed of conveyance executed for said part of said Ohio turnpike road, the board of county commissioners shall assign said guaranty of twenty per cent. to the late owner of the Ohio turnpike, and the same shall be received by him, without rebate, in full payment of the one-fifth of the purchase money for said part of said Ohio turnpike road, to be collected by him in his own name.

SEC. 3. That in case said board of county commissioners and the owner of said part of said Ohio turnpike, cannot agree upon a purchase price, said board and owner may cause an appraisement thereof to be made by three disinterested freeholders of said county, one to be selected by said board, one by said owner, and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SEC. 4. That the appraisers selected and chosen under the provisions of this act shall, under oath, upon actual view, appraise that portion of the Ohio turnpike road located in said county, at its true value, and make return in writing of their appraisement within ten days after making the same, to said board. The said board and owner of said Ohio turnpike, within thirty days after the return of said appraisement, may agree upon a sale and purchase of said part of said Ohio turnpike at the appraised value or less. If the said board refuses to complete the purchase at the appraised value, in that case the said county shall pay the costs of appraisement. If the owner refuses to sell at the appraised value, the said owner of said Ohio turnpike shall pay the costs of appraisement. The appraisers shall each be entitled to receive two dollars per day for their services rendered under this act.

SEC. 5. That for the purpose of paying four-fifths of the purchase money for said part of said Ohio turnpike road, said board of county commissioners is hereby authorized to issue the bonds of said county, payable at such times not exceeding twenty years from the date of the same, as to said board may seem proper, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually. Said county bonds shall not be sold or otherwise disposed of at less than their par value. The bonds to be issued in denominations not to exceed five hundred dollars nor less than fifty dollars.

SEC. 6. That the county auditor of said county shall make and keep in the office of said board, in a book to be provided for registry of county bonds, an accurate registry of said bonds, showing date of issue, number of bond, amount of bond, to whom sold, when due, when redeemed, and amount of interest and principal paid on each bond. Each of said bonds to be signed by the county commissioners and countersigned in red ink by the county auditor of said county.

SEC. 7. That for the payment of the interest on, and for the redemption of said bonds, the board of county commissioners of said county is hereby authorized to levy a tax upon all the taxable property of said



county, at such a rate not exceeding one-fourth of one mill annually, in addition to other levies for road purposes, authorized by law, on each dollar of taxable property in said county, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay said bonds as they become due and payable.

SEC. 8. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

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[House Bill No. 847.]

# AN ACT

To authorize the council of the village of Smithfield, Jefferson county, Ohio, to issue bonds for the purpose of erecting a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Smithfield, Jefferson county, is hereby authorized to issue the bonds of said village, not to exceed three thousand dollars, and bearing a rate of interest not exceeding six per cent. per annum, interest payable semi-annually, and to run such a length of time, not exceeding six years, as the council aforesaid may determine, for the purpose of raising money with which to build a town hall.

SEC. 2. That for the purpose of paying the principal and interest of said bonds, the council of said village shall, annually, levy a tax of not exceeding three mills, in addition to the other taxes authorized by law, on all the taxable property of said village, until said bonds and interest are paid in full.

SEC. 3. The bonds mentioned in this act shall not be issued until after the question of issuing the same shall have been first submitted to the electors of said village, either at any general or special election that may be called for the purpose, and a majority of the ballots of the electors voting upon such question be cast in favor of such issue of bonds. The ballots shall have written or printed upon them, "Issue of bonds for town hall—Yes;" "Issue of bonds for town hall—No." The council of said village may, by resolution, at any regular or special meeting, decide to submit such question at the next annual municipal election or at a special one.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 885.]

## AN ACT

To authorize the council of the city of Steubenville to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Steubenville be and it is hereby authorized to transfer the sum of thirty-three hundred and thirty-five dollars and forty six cents (\$3,335.46) from the work-house fund to the general and incidental expense fund of said city.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 11, 1883.

[House Bill No. 833.]

## AN ACT

To authorize the board of education of the township of Olmsted, Cuyahoga county, Ohio, to make an additional levy for the purpose of building a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Olmsted township, Cuyahoga county, be and is hereby authorized to levy, in the year 1883, in addition to the amount now authorized by law, a tax not to exceed three mills on each dollar of valuation of taxable property in said township; the proceeds of said levy to be used for the purpose of erecting a school-house building in joint sub-district number one, in said Olmsted township.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 581.]

## AN ACT

To amend an amended act passed April 5, 1882, entitled "an act to encourage the killing of wood-chucks, or ground-hogs, in Erie county, Ohio," as found in vol. 78, Ohio Laws, page 334.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any person in the counties of Erie, Jefferson, Holmes, Harrison and Carroll, in the state of Ohio, killing an animal known as the wood-chuck or ground-hog, within said counties, shall, on presentation of the scalp of such animal to the clerk of the township where he or they may reside,

be entitled to a certificate to the amount of twenty cents for the scalp of each wood-chuck or ground-hog so presented, and the township clerk shall destroy the scalp so presented.

SEC. 2. The auditor of Erie, Jefferson, Holmes, Harrison and Carroll counties, respectively, on the presentation of such certificate by the person to whom it was given, or his order, shall, if the commissioners first determine by order on their journal that the public interests require it, issue an order on the treasurer of their respective counties, for the amount of certificate so presented, to be paid out of the general revenue fund in their respective counties, and such orders shall be preserved by said treasurer, as other orders are preserved; and it shall be the duty of the auditors of said counties to keep an account of all such orders as other orders are kept.

SEC. 3. The said amended act be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 11, 1883.

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[House Bill No. 855.]

#### AN ACT

To amend section 1 of "an act to authorize the commissioners of Clermont county, Ohio, to construct certain free turnpike roads," passed March 29, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike roads:

1. First road: To begin at Clermontville, and thence to the farm of James Dixon, thence to the farm of Phillip Kennedy, thence to the farm of Robert Richards, thence to connect with the Felicity and Bethel road at Mt. Olive Church.

2. Second road: To begin at the cross-roads at the farms of Julius Pelts and John March, and by the shortest and most practical route to the village of Laurel, thence to the farm of Richard Rush, to run on the new road on the farm of said Richard Rush, thence to Breckenridge school-house, thence to connect with the Point Isabel and Salt Air road at the farm of Harriet Page.

3. Third road: To begin at the village of Williamsburg in said county, thence to the Brown county line, said free turnpike to be located on the bed of the old plank road leading from the village of Williamsburg to the village of Mt. Orab, in Brown county, Ohio.

4. Fourth road: To begin at the village of Williamsburg and to extend to the village of Bethel.

5. Fifth road: To begin at the south-west end of George street in the village of Goshen, thence on the Goshen and Lebanon road in a north-west direction, passing the lands of W. Burkhardt, V. F. Leener, W. H. Nichols and S. O. O'Niles, thence south-west on the new road to the line of John S. Walker at the school-house in sub-district number four, thence

in a north-west direction on the best and most practicable route, to be selected by the commissioners, to the Marietta railroad at Hill's station.

6. Sixth road: To begin at the south end of the east Goshen and Cozaddale road where it intersects the Goshen and Wilmington turnpike, thence north and west with the said Cozaddale road, passing the farms of S. E. Rogers, John Frybarger, Notley Hill and others, to the Warren county line, so as to meet the improved road in said Warren county; and in locating such roads, said commissioners may locate the same upon the whole or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same or any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment of compensation therefor; said roads shall be opened not more than sixty and not less than forty feet wide, except that the first road may be opened at a minimum width of not less than thirty feet.

7. Seventh road: To begin at the corporation line of Loveland, where the present Goshen, Mainville and Loveland county road intersects said corporation line; thence with the said county road to John Black's lot; thence running on county road to the new school-house in sub-district No. 7 in Miami township; thence running a westerly course through lands of A. P. Brown and others, so as to intersect the eastern terminus of the Miami and Camargo turnpike.

SEC. 2. That section 1 of said act be and the same is hereby repealed.

SEC. 3. This act shall be in force and take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 826.]

#### AN ACT

To authorize the commissioners of Brown county to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county, Ohio, be and they are hereby authorized to construct the following free turnpike roads:

First road: Beginning at or near Conn's school-house, on the Ripley and Hillsboro turnpike road, thence running on or near the county road to the lands of Charity Johnson; thence up the east branch on or near the line of lands of T. S. Salisbury to the land of E. Flaughner; thence on or near Flaughner's line to the lands of A. C. Burgett; thence up the branch to a point at or near the mouth of a small branch on Burgett's lands; thence through his land to a point in the county road near his farm; thence with the county road, or as near thereto as a good road can be made, to a point in the Arnheim free turnpike road at or near Gill's land.

Second road : Beginning at the southern terminus of Green or Pleasant street, in the village of Georgetown, in said county ; thence by the most practicable route to and intersecting the Georgetown and Higginsport free turnpike at a point near the mouth of Town run.

Third road : Beginning at the Maysville and Zanesville turnpike road at Fishing Gut creek, thence up said creek on the most practicable route to the Adams and Brown county line.

Fourth road : Beginning at the Georgetown and Fayetteville pike at the five-mile mills ; thence running east on the line of the road known as the Princetown and Hillsboro road or as near as practicable thereto to the Highland county line.

SEC. 2. That said county commissioners may, if they deem best, issue bonds for the construction of said roads ; provided, said bonds shall bear interest at a rate of not to exceed six per cent. per annum, payable semi-annually, and shall be sold according to law ; provided, further, that not more than twenty per centum of the cost of said improvement shall be assessed in any one year.

SEC. 3. That said commissioners shall, before proceeding to construct said roads, or any part of the same, require and secure from those interested in said improvements, a subscription or donation equal in amount to twenty per centum of the costs of said improvements, to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one-fourth of one mill on the dollar annually, on any and all property in said county on the tax duplicate.

SEC. 5. That a majority of the said board of commissioners shall, at a regular session, be necessary to agree upon specifications, and order said improvements, or any part thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 584.]

#### AN ACT

To authorize the trustees of Perry township, Putnam county, to levy a tax for ditch purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Perry township, Putnam county, are hereby authorized to levy a tax not to exceed six hundred dollars on the taxable property of said township.

SEC. 2. Said levy to be made April, 1883.

SEC. 3. The amount so raised shall be expended by the trustees of said township to pay unpaid ditch orders, issued by former trustees of said township.

SEC. 4. And if any amount should be levied and collected over and above the amount necessary to pay such unpaid ditch orders, the same shall be credited to the road fund of said township.

SEC. 5. This act shall be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 834.]

#### AN ACT

To authorize and empower the commissioners of Hardin county to build a jail, and issue bonds for that purpose, and to sell the present jail site.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hardin county are hereby authorized and empowered to construct a jail on the present jail lot, or at such other point at the county seat of said county as, in their judgment, may be deemed most suitable for the public good, at a cost not to exceed thirty thousand dollars, exclusive of the lot and material of the present jail property.

SEC. 2. That the commissioners of said county, for the purpose of building said jail, are hereby authorized and empowered to borrow such sum or sums of money as they shall deem necessary, not exceeding thirty thousand dollars, at a rate of interest not exceeding six per cent. per annum, and issue the bonds of said county to secure the payment of the principal and interest thereon; and the principal shall be paid at such time as the commissioners may prescribe within fifteen years from the date thereof; said bonds shall not be sold for less than their par value.

SEC. 3. That the bonds so issued shall be signed by the commissioners of said county, or any two of them, and countersigned by the auditor of said county, and shall be in sums of not less than one hundred, nor more than one thousand dollars each, payable to the bearer, at such place as said county commissioners may determine, with interest as aforesaid, and such bonds shall specify distinctly the object for which they were issued.

SEC. 4. The commissioners of said county shall, annually, at their June session, levy such tax, in addition to what they are now authorized to levy, as will pay the annual interest on such bonds and the principal as it matures, not exceeding ten thousand dollars of said principal in any one year.

SEC. 5. The said commissioners may, if in their judgment, the public interest require the same, sell the present jail lot and structures thereon, and use the moneys received therefor, in the purchase of other grounds in lieu thereof, and in the sale thereof said commissioners shall be governed in all respects by the statutes in such cases made and provided.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 853.]

## AN ACT

To authorize the commissioners of Adams county to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike roads, to wit:

First road: Beginning at the intersection of the West Union and Unity free turnpike with the Grace's Run and Dunkinsville free turnpike at Unity, in said county; thence on or as near the line of the former surveyed route as practicable to the town of Newport; thence by the most practicable route to intersect the Belfast turnpike at the Highland county line.

Second road: Beginning at the Brown county line, on the west bank of Luck Run; thence up said stream on the most practicable route to the village of Clayton; thence east with the Clayton road to or near the residence of A. Richmond; thence south to the head of a branch near the residence of Alfred Pence; thence down the branch to intersect the Maysville and Zanesville turnpike at or near the Brittingham camp grounds.

Third road: Beginning on the line of Sprigg and Liberty townships at William Hook's; thence west through the lands of Jackson, Wade, Grimes, West and Gaffin, to the Briar Ridge church; thence through lands of Teachnor, Finney, Stivers, Van Nest, Wilson and Ayres, to the Brown county line, or through the lands of Grimes and Bloom, to intersect the West Union and Decatur road, as may be thought most advisable.

Fourth road: Beginning at the terminus of the Tranquility and Ripley turnpike at or near Tranquility; thence by way of Flat Run church, the most practicable route to the Highland county line.

SEC. 2. Said commissioners may in their discretion, order at once the building of all of said roads, or a part of them, or a part of one or more of said roads as near the location thereof as may be practicable; and may require donations not exceeding twenty per centum of the estimated costs of the roads ordered to be built, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value; and may levy a tax not exceeding three mills on the dollar. annually, on the taxable property of said county, for the purpose of paying said bonds and interest thereon.

SEC. 3. A majority of said board of commissioners may, at any regular or special session, agree upon plans and specifications, and order said improvements or any part thereof.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 893.]

## AN ACT

To authorize the commissioners of Henry county to issue bonds for the construction of a bridge across the Maumee river at Florida, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Henry county, Ohio, for the purpose of raising money to rebuild a bridge over the Maumee river at Florida, in said county, destroyed by the recent freshet, be and they hereby are authorized and empowered to issue bonds of said county, in sums of not less than five hundred dollars each, and not exceeding in the aggregate the sum of ten thousand dollars, and at a rate of interest not exceeding six per centum per annum, payable semi-annually; said bonds to be made payable in a period of time not exceeding three years, and redeemable at the pleasure of said commissioners at any time within one year.

SEC. 2. Said bonds shall be signed by the county commissioners of said county and countersigned by the auditor, who shall keep a record of all bonds issued, and when made payable. The said bonds shall be negotiable and shall be sold according to law.

SEC. 3. To pay said bonds, the said commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar valuation of the taxable property of said county, in any one year.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 11, 1883.

[House Bill No. 748.]

## AN ACT

To provide for the better improvement of roads and highways in Athens county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the qualified electors of Athens county shall, at the regular election on the second Tuesday of October, 1883, vote upon the proposition to improve the public highways in said county, and the ballots voted upon said proposition shall have written or printed thereon, "Improvement of public highways—Yes," or "Improvement of public highways—No;" and if a majority of the ballots voted upon said proposition shall contain the words "Improvement of public highways—Yes," then the trustees of the several townships of said county shall, at their regular meeting on the first Monday in March, 1884, and annually thereafter, divide their respective townships into not less than two nor more than three road districts, containing as near as may be an equal number of miles of road. The township trustees shall keep a record of such division showing the number of miles of highways therein; and shall cause a plat thereof to be made as nearly accurate as practicable, a certified copy of which record and plat shall be furnished to each supervisor.

SEC. 2. The trustees of the several townships shall, on the first Monday in March, 1884, and annually thereafter, levy on the taxable prop-



erty of their respective townships for the purpose of opening, repairing and improving the roads and highways of such townships, not less than two and one-half, nor more than three mills on the dollar valuation, and shall certify the same to the county auditor, in writing, on or before the fifteenth day of May of each year, who shall place the same upon the tax duplicate, and such levy shall be collected at the December installment of each year, and all road taxes so levied and collected shall be paid to the treasurer of the township from which the same has been collected, and shall be paid out by him as hereinafter provided.

SEC. 3. The qualified electors of the respective road districts in each township shall, on the first Monday of April, 1884, and annually thereafter, elect one supervisor of highways, in the manner now provided by law, and each supervisor so elected shall execute a bond in the sum of two thousand dollars, payable to the township trustees and to be approved by them conditioned as now required by law, which bond shall be deposited with the township clerk; such supervisors shall each receive as compensation for their services two dollars per day for the time actually employed in supervising the work upon the roads and highways of his district in the manner following, viz: the supervisor shall keep an account of date and time employed, and shall at the end of each month make a copy of such account and present the same to the trustees of the township for approval, and when approved shall be a voucher for the township clerk to draw an order upon the treasurer for the amount thereof in favor of such supervisors, and the same shall be paid out of the road funds of such township; such supervisors shall be subject to the same penalties and shall be governed by the same provisions of law as now in force, except as herein provided.

SEC. 4. The trustees of the several townships shall direct and control said supervisors as to the amount of money expended, the time, place and manner of performing all work and making all improvements on the roads and highways of their respective townships, but the supervisors of highways shall, in their respective districts, have the immediate supervision of the work and workmen, he shall give to each person employed a certificate showing the time, kind of labor performed and price per day, and also the items and price of material purchased or furnished, which certificate, when approved by the trustees of the township, shall be a voucher for the clerk to draw an order upon the township treasurer for the amount thereof in favor of the holder. The supervisor shall keep an account in a book to be provided by the trustees, of all certificates issued by him, containing the items of each certificate, and such supervisor shall, at the regular meeting of the trustees, furnish transcripts of such record to the trustees, who shall compare the same with the orders issued by the clerk, and discrepancies, if any, shall be adjusted as the trustees may direct.

SEC. 5. Township trustees may anticipate the road tax for the current year by issuing orders upon the township treasurer, but not in excess of the levy for any one year, which orders may be used in payment of labor and material, or may be sold at a discount not exceeding six per cent. per annum, and the proceeds deposited with the township treasurer. Said orders shall be payable within eight months after date and shall not bear interest.

SEC. 6. Township trustees may employ a competent surveyor for the

purpose of making a re-survey of any road in their respective townships that, in their judgment, requires to be changed, and said trustees shall give notice to landowners as required by law in the case of altering public highways, and the said trustees shall act as a board of viewers and report said proceedings to the county commissioners, who shall act upon such report as in the case of road changes regularly petitioned for; provided, if the change is established the expenses thereof shall be paid by the said commissioners out of the county treasury, and the damages assessed thereunder shall be paid by the trustees out of the road fund of said township, but in case the application shall fail, the expense thereof shall be paid by the trustees from the road fund of said township.

SEC. 7. The levy herein authorized to be made by township trustees shall not extend to or affect property within the limits of any city or incorporate village, and the funds herein provided by the levy of township trustees shall not be expended within such city or village; but the council of any such city or village may exercise the right conferred by this title on the trustees of townships, to make such levy for road purposes on the taxable property within the corporate limits of any such city or village, as trustees may, by this title, make for road purposes in their respective townships; and said council shall certify the same to the county auditor, in writing, on or before the fifteenth day of May each year; and the auditor of the county shall assess the same on the taxable property in said city or village, and the same shall be collected in the December installment of each year.

SEC. 8. Sections 1459, 2658, 2659, 2829, 2830, 4738, 4739, 4755, 4756, 4757, and all other acts or parts of acts which conflict with this act are hereby declared inoperative in said county.

SEC. 9. This act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 12, 1883.

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[House Bill No. 837.]

#### AN ACT

To authorize the commissioners of Hamilton county to build a bridge across the Great Miami river, and abutments, piers, fills and approaches in Miami and Whitewater townships in said county, and to levy a tax for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and the same are hereby authorized to construct a bridge across the Great Miami river, and abutments, piers, fills and approaches in Miami and Whitewater townships of said county at or near Cleves, not below or south of the old bridge destroyed by the recent high water, but at the old site, or at such a point north of said old bridge as the county commissioners may designate; the road running east to intersect the road leading from Cleves to Harrison and Miami, and road running west to intersect the road leading from Harrison and Miami to Cleves.

SEC. 2. For the purpose of raising money to defray the expenses of constructing said bridge, said commissioners are authorized and empowered to issue bonds of said Hamilton county, at not less than their par value, in sums not less than five hundred (\$500) dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, not to exceed in the aggregate the sum of eighty thousand dollars; said bonds to be negotiable, payable within ten years; and redeemable at the option of said commissioners at any time after three years from the date of their issue.

SEC. 3. Said bonds shall be signed by said commissioners and countersigned by the auditor of Hamilton county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued and made payable, and when redeemable.

SEC. 4. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized, directed and empowered, in addition to the other levies authorized by law, to levy a tax upon all taxable property of Hamilton county, not to exceed one-twentieth of one mill each year, upon each dollar valuation thereof.

SEC. 5. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 12, 1883.

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[Senate Bill No. 360.]

AN ACT

To authorize the trustees of Deerfield township, Ross county, Ohio, to acquire additional ground for cemetery purposes and to improve the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Deerfield township, Ross county, are hereby authorized to acquire additional ground, not exceeding fifteen acres, for cemetery purposes, by private contract, if in their judgment the same can be purchased at a reasonable price; if not, then they may appropriate lands therefor in accordance with the provisions of section fourteen hundred and sixty-four of the revised statutes, so far as may be applicable.

SEC. 2. The trustees of said township, for the purpose of paying for ground acquired as hereinbefore provided for and the improvement of the same as they may direct, are hereby authorized to issue the bonds of the township for a sum not exceeding three thousand dollars, all payable within three years after the date of their issue, bearing a rate of interest not exceeding six per cent., payable semi-annually, for the purpose of paying said bonds, not exceeding one thousand dollars annually, and the interest as the same become due. The trustees are hereby authorized to levy a tax annually on all the property of the township a sum sufficient to pay the same, in addition to the taxes otherwise authorized by law.

SEC. 3. After said grounds have been acquired and improved as the trustees may direct, they may be placed under the control and management of the trustees of Brown's Chapel, in said township, and their suc-

cessors in office, and the tax levied annually for the needful care, supervision, repair and improvement of the same may be paid over to said trustees of said Brown's Chapel or their successors, to be by them expended for said purposes.

SEC. 4. This act shall take effect on its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 327.]

AN ACT

To authorize the board of education of the Oak Harbor special school district in the county of Ottawa to transfer money from the school-house fund to the tuition fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Oak Harbor special school district, in the county of Ottawa, are hereby authorized to transfer any sum, not exceeding two thousand dollars (\$2,000), now on hand in the school-house fund in the treasury of said special school district, to the tuition and contingent fund of said school district.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 331.]

AN ACT

Authorizing certain townships in the county of Defiance, Ohio, to vote upon a proposition to improve roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of the county of Defiance, Ohio, are hereby authorized to submit the question of road improvements to the qualified electors of such townships of said county as have not already made improvements under the provisions of an act passed March 30, 1880, entitled "an act authorizing the commissioners of Defiance county to levy a tax for road purposes." Said elections may be held on or before the second Tuesday of October, 1883 (the time thereof to be fixed by said board), and the manner of holding said elections to be determined by section four (4) of said act, passed March 30, 1880; provided, that proceedings under the provisions of this act shall not permit the county commissioners to issue bonds, and none of the receipts which shall come into the treasury of the

county by virtue of the provisions of this act, shall be anticipated by said board of county commissioners.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 388.]

AN ACT

To authorize the county commissioners of Adams county, Ohio, to provide for the deficiency in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Adams county, Ohio, for the purpose of meeting and providing for a deficiency in the county funds of said county, arising from insufficient levies for county purposes, be and are hereby authorized to levy a tax for the years 1883 and 1884, not exceeding five-tenths of a mill on the dollar, each year in addition to the levies now authorized by law, on all the taxable property in said county.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 339.]

AN ACT

To establish the line between the counties of Hardin and Logan.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the line run by James W. Marmon, in the year 1832, as the north line of Logan county, and which has ever since been known as the line between the counties of Hardin and Logan, be and the same is hereby established as the line between said counties.

SEC. 2. The commissioners of said county of Hardin are hereby authorized to remit the penalties charged upon any lands in said county upon which the taxes have not been paid by reason of dispute as to the true location of said county line and to direct the treasurer of said county to receive the tax on said lands without such penalties.

SEC. 3. The commissioners of said county of Hardin are also authorized to pay out of the county treasury of said county the costs in the case of Abner Riddle et al., against the board of commissioners of Hardin county, Ohio, et al., now pending in the supreme court of Ohio, including the printing of briefs, but not exceeding in the aggregate one hundred and twenty-five dollars.

SEC. 4. The commissioners of said counties are hereby required to cause said line to be marked by permanent monuments.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 832.]

AN ACT

To authorize the village council of the incorporated village of Miamisburg, Montgomery county, to issue bonds for the purpose of providing said village with a system of public water works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Miamisburg, Montgomery county, be and the same is hereby authorized to issue the bonds of said village in the sum not exceeding forty (40) thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with water works.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof; the principal shall be paid at such time as the council of said village may determine by ordinance, within a period not exceeding twenty-five years, and said village council to pay said bonds and interest by a tax levied on all taxable property of said village.

SEC. 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of erecting, constructing and paying for water works for said village, which water works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. The question of issuing said bonds, levying said tax, and of erecting and constructing said water works for said village of Miamisburg, shall be submitted to a vote of the qualified electors of said village at the regular spring or special election, to wit: at the place of holding elections of said village by giving fifteen days' notice in one or more newspapers of said village; the tickets to be voted at said election shall have written or printed thereon the words, "Water works—Yes," or "Water works—No," and a majority vote at said election shall decide the question.

SEC. 5. Said election shall be held by the council of said village in the same manner as other elections.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 328.]

AN ACT

To authorize the county commissioners of Montgomery county, Ohio, to build an addition to the county infirmary buildings of said county, and to issue bonds for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Montgomery county be and they are hereby authorized and empowered to build an addition to the infirmary buildings of said county, to meet the increasing necessities of that institution, at a cost not to exceed twenty-eight thousand dollars.

SEC. 2. That for the purpose of constructing and completing such addition the said commissioners are hereby authorized and empowered to borrow the necessary amount of money aforesaid, and to issue the bonds of said county therefor, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, the principal thereof not to fall due sooner than six nor longer than ten years from date, and said bonds shall be sold according to law.

SEC. 3. Said bonds shall be prepared and issued in denominations of not less than one hundred nor more than one thousand dollars each, as the commissioners shall determine; and shall be prepared with the proper semi-annual coupons attached, and shall be made payable to bearer, and express distinctly the purpose for which they are issued; and shall be signed by said county commissioners, or any two of them, and countersigned by the auditor of said county.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 316.]

AN ACT

To authorize the trustees of the township of Granville, Licking county, Ohio, to transfer certain funds, temporarily.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Granville, Licking county, Ohio, be and they are hereby authorized to transfer the sum of four hundred dollars

from the road fund of said township to the fund for all township purposes of said township. And it is hereby further provided that the sum of four hundred dollars out of the sum levied in the year 1883 by said trustees for all township purposes shall, when collected, be transferred to and be held to belong to the road fund of said township.

SEC. 2. This act shall be in force and take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 380.]

AN ACT

To amend an act passed April 14, 1882 (O. L. 79, p. 216), entitled an act to authorize the commissioners of Gallia county to levy an additional tax for poor purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Gallia county be and they are hereby authorized in the years 1883 and 1884 to levy not to exceed one and four-tenths mills upon each dollar of the taxable property of said county, for poor purposes, in addition to the levy for said poor purposes now authorized by law, the same to be entered on the duplicate of said county and collected as other taxes.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[Senate Bill No. 293.]

AN ACT

To provide for the completion of a bridge across the Scioto river near Sharonville, Pike county, Ohio, and to pay certain indebtedness created by reason thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Pike county, Ohio, be and are hereby authorized, for the purpose of paying certain indebtedness created in the erection of a certain bridge across the Scioto river, near Sharonville, in said Pike county, and for the purpose of completing said bridge as contracted by said commissioners, to issue bonds of said county, not to exceed in amount the sum of seven thousand dollars (\$7,000), said bonds to be issued in denominations of one hundred dollars (\$100), payable at such times and dates, within from four (4) years from the date of their issuance,



as said commissioners shall determine, and to bear interest at a rate not to exceed six (6) per cent. per annum, payable semi-annually, and not to be disposed of by said commissioners at less than their par value.

SEC. 2. That for the purpose of paying said bonds and the interest thereon when the same becomes due, said commissioners are hereby authorized to levy a tax at each June session of said board upon all the taxable property of said county.

SEC. 3. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

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[House Bill No. 913.]

### AN ACT

To authorize the county commissioners of Hardin county, Ohio, to levy a tax to meet certain indebtedness of, and improvement of the grounds of the agricultural society of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hardin county, Ohio, be and they are hereby authorized to levy a tax of not to exceed three-tenths of one mill on the dollar, on all the taxable property in said county, for the purpose of paying the present indebtedness of the Hardin county agricultural society, and improving the fair grounds thereof; said levy when so made to be collected and paid into the treasury of said county the same as other taxes.

SEC. 2. The claims against said agricultural society now existing or which may be incurred in making said improvement, shall be presented to the said board of agriculture, and if allowed by said board, shall then be presented to the board of county commissioners of said county, and when allowed by said commissioners, the auditor of said county shall draw an order or orders on the treasurer of said county for the amount or amounts so allowed by said board of county commissioners.

SEC. 3. Before any such levy shall be made, the question of making the same shall first be submitted to the qualified electors of said county, at a general election to be held in 1883, notice of which shall be published for at least two weeks next preceding such election, in two newspapers of different politics, before said vote is taken. Electors desiring to vote in favor of said levy, shall have placed on their ballots, "Tax for agricultural society—Yes;" and those desiring to vote against said levy, shall have placed upon their ballots, "Tax for agricultural society—No;" and if a majority of all the votes cast at said election is in favor of said levy, then said commissioners shall make said levy and apply the money arising therefrom, as herein provided; but if a majority of such votes are not in favor of said levy, then no such levy shall be made.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

[House Bill No. 495.]

## AN ACT

To authorize the commissioners of Hamilton and Clermont counties to build a bridge and approaches across the Little Miami river one mile south of Terrace Park, in Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the commissioners of Hamilton and Clermont counties be and they are hereby directed to build a suitable and substantial iron bridge, and the approaches thereto, across the Little Miami river, at a point near where the Cincinnati and Deerfield stage route road, running from Newton to the Cincinnati and Wooster turnpike at Terrace park, crosses the Little Miami river near the mouth of the east fork; and the said commissioners are hereby authorized to levy a special tax for that purpose on all taxable property of Hamilton and Clermont counties, not exceeding one-tenth of a mill on the dollar, for the years 1883 and 1884.*

SEC. 2. This act shall be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 16, 1883.

[House Bill No. 970.]

## AN ACT

To amend an act entitled an act "to create a special school district in Enoch and Stock townships, Noble county, Ohio, passed March 31, 1883."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That an act entitled an act "to create a special school district in Enoch and Stock townships, Noble county, Ohio, passed March 31, 1883," be amended so as to read as follows:*

The territory in the county of Noble, and in the townships of Enoch and Stock, described as follows, to wit: all of sections four (4), nine (9), ten (10), fifteen (15), sixteen (16), twenty-one (21), twenty-two (22), and the east half of sections eight (8) and seventeen (17) in Enoch township, and the north half and the south-west quarter of section (3), in Stock township of said county, be and the same is hereby created and declared to be and to constitute a special school district.

SEC. 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for school-house and incidental expenses, in accordance with the enumeration of the year 1882, of children who are entitled to attend school; said funds being those now collected within the county or township treasuries, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SEC. 3. This act shall take effect and be in force from and after its passage; and said act passed March 31, 1883, be and the same is hereby repealed.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[House Bill No. 823.]

AN ACT

To authorize the commissioners of Delaware county, Ohio, to construct a bridge over the Olentangy river in the city of Delaware.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be lawful for the commissioners of Delaware county, Ohio, and they are hereby authorized to construct such bridge or bridges whether for foot passengers or for other purposes, or both, of such material and in accordance with such plan or plans as said board of commissioners may think best, over the Olentangy river on Winter street in the city of Delaware, at a cost not to exceed ten thousand dollars, whenever, in their judgment, the necessities and convenience of public travel require it.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 16, 1883.

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[House Bill No. 894.]

AN ACT

To authorize the county commissioners of Montgomery county to remove a certain toll-gate therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Montgomery county be and they are hereby authorized by purchase, or by other legal process as to them may seem best, to remove a certain toll-gate on the Farmersville and Gellersburg road in said county.

SEC. 2. That this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 845.]

## AN ACT

For the relief of Jacob Rogers.

WHEREAS, It appears from the records and papers on file in the office of the auditor of state, and also from the records of the auditor of Harrison county, Ohio, that one Jacob Rogers, of said county, purchased a tract of land in section sixteen, town ten of range four, the same being "school lands," and in payment therefor, as shown by said records, said Rogers has paid into the state treasury in excess of the purchase price, the sum of forty-three dollars and nine cents (\$43.09). Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the sinking fund not otherwise appropriated, the sum of forty-three dollars and nine cents (43.09), the amount so overpaid as aforesaid, and the auditor of state is hereby authorized and directed to draw his warrant on the treasury for the same.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 967.]

## AN ACT

To authorize the village council of the incorporated village of Medina, Medina county, Ohio, to issue bonds for the purpose of purchasing grounds for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Medina, Medina county, be and the same is hereby authorized to issue the bonds of said village, in any sum not exceeding five thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of enabling said incorporated village to purchase grounds for cemetery purposes.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will in the judgment and determination of the council best subserve the negotiation and sale thereof. The principal shall be payable at such time as the council of said village may determine by ordinance, within a period not exceeding fifteen years, and said village council is hereby authorized to levy a tax upon all the taxable property of said village, to pay said bonds and interest, not to exceed two mills on the dollar in any one year.

SEC. 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing and improving cemetery grounds and paying for the same; the title to which

shall vest in the corporation of said village of Medina, and shall be controlled in such manner as may be prescribed by law, and the ordinances of said incorporated village of Medina.

SEC. 4. This act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

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[House Bill No. 902.]

AN ACT

To divide Put-in-Bay precinct, Ottawa county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the election precinct of Put-in-Bay, in the county of Ottawa and the state of Ohio, be and the same is hereby divided into two voting precincts, as follows: The first precinct shall be Put-in-Bay and Ballast Island; the second precinct shall consist of Middle Bass Island and Sugar Island, and shall be known as Middle Bass Island precinct.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

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[House Bill No. 912.]

AN ACT

To authorize and empower the board of education of the village of New Carlisle, Clarke county, Ohio, to build an addition to their school-house, and to borrow money and issue bonds to pay therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of New Carlisle, Clarke county, are hereby authorized and empowered to construct an addition to the present school building, at a cost not exceeding five thousand dollars.

SEC. 2. That said board of education of said village, for the purpose of building said addition, are hereby authorized and empowered to borrow such sum or sums of money as they shall deem necessary, not exceeding five thousand dollars (\$5,000), at a rate of interest not exceeding six per cent. per annum, and issue the bonds of said school district to secure the payment of the principal and interest thereon; and the principal shall be paid at such time as the said board may prescribe within ten years from the date thereof, interest payable annually; said bonds shall not be sold for less than their par value.

SEC. 3. That the bonds so issued shall be signed by the president of said board of education, and countersigned by the clerk thereof, in sums

not less than one hundred, nor more than one thousand dollars each, payable to bearer at the office of the treasurer of said board, together with annual interest as aforesaid; and such bonds shall specify distinctly on their face the object for which they were issued.

SEC. 4. The said board shall, annually, at their June session, levy such tax, in addition to what it is now authorized to levy, as will pay the annual interest on such bonds, and the principal as it matures, not exceeding one thousand dollars in any one year; provided, that before the board issue said bonds, it shall submit the question of said improvement to the voters of said district at a special election, notice of which shall be given for at least two weeks in some newspaper of general circulation in said district, of the time and place of holding the same; those desiring to vote for said improvement, shall have placed on their ballots, "Issue bonds - Yes;" those desiring to vote against said improvement shall have placed on their ballots, "Issue bonds—No." If a majority of all the ballots cast at said election has on them "Issue bonds—Yes," then said board shall issue said bonds and make said improvement.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

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[House Bill No. 984.]

AN ACT

To authorize and empower the village council of the incorporated village of Batavia, in the county of Clermont, to transfer certain moneys therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of said village of Batavia be and they are hereby authorized and empowered to transfer permanently from the prison fund of said village to the general fund therein the sum of seventy-two dollars and nine cents; also to transfer seventy-two dollars from the building fund of said village to the general fund therein; also to transfer from the bridge fund in said village the sum of fourteen dollars and seventy-six cents to the general fund therein; also to transfer from the fire fund of said village the sum of one hundred and eighty-two dollars and thirty-six cents to the sewer fund therein; also to transfer from the salary fund of said village the sum of two hundred dollars to the general fund therein; also to transfer eighty-six dollars and six cents from the opening and widening streets fund of said village to the sewer fund therein.

SEC. 2. This act to take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 685.]

## AN ACT

To authorize the village of Quincy, Logan county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Quincy, Logan county, Ohio, be and they are hereby authorized to transfer the sum of two hundred and fifty-seven dollars and sixty-eight cents from the cemetery fund to the general corporation fund of said village; provided, that no part of said funds shall be used to pay any debt of said village heretofore contracted.

SEC. 2. This act to take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

[House Bill No. 929.]

## AN ACT

To authorize the council of the village of New Carlisle, Clarke county, Ohio, to purchase land for a village park, and to lay out, locate and construct additional streets in said village, and to issue bonds and borrow money for said purposes, not exceeding \$4,000.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Carlisle, Clarke county, Ohio, be and it is hereby authorized and empowered to purchase grounds for a public park, at a cost not exceeding twenty-five hundred dollars (\$2,500).

SEC. 2. That for the purpose of said purchase, and for the location, construction and improvements of the streets of said village, the council of said village is hereby authorized to issue the bonds of said village for any sum not exceeding four thousand dollars, and at a rate of interest not exceeding six per cent. per annum, and made payable at any time not exceeding fifteen years from the date thereof, and shall not be sold for less than their par value.

SEC. 3. That the bonds so issued shall be signed as now required by law, in sums not less than one hundred nor more than one thousand dollars each, payable to bearer at the office of the treasurer of said corporation, together with annual interest not exceeding six per cent. per annum, and shall specify distinctly on their face the object for which they were issued.

SEC. 4. That the council of said village may apply the moneys arising from the sale of said bonds as follows: twenty-five hundred dollars to purchase grounds for a public park, or so much thereof as may be necessary, and fifteen hundred dollars for the purpose of locating, constructing and repairing the streets of said village, and for no other purpose or purposes whatever.

SEC. 5. That said village council shall annually levy such tax on all the taxable property of said village, in addition to what is now authorized by law, as will pay the annual interest on such bonds, and the principal as it matures, not exceeding two thousand dollars in any one year.

SEC. 6. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

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[House Bill No. 930.]

AN ACT

To authorize the board of education of the city of Newark, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the city of Newark, in the county of Licking, and the state of Ohio, is hereby authorized to transfer the sum of ten thousand dollars (\$10,000), from the tuition fund of said city, to the fund for building purposes; and the said ten thousand dollars shall be returned to the said tuition fund out of the first moneys levied for said fund for building purposes.

SEC. 2. That this act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.

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[House Bill No. 956.]

AN ACT

Authorizing the county commissioners of Sandusky county, Ohio, to levy an additional tax for county and poor purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Sandusky county, Ohio, be and they are hereby authorized in the years 1883 and 1884, to levy upon each dollar valuation of the taxable property of said county for county purposes, three-tenths of one mill, and for poor purposes, two-tenths of one mill, in addition to the amount which is now or may hereafter be authorized to be levied for said purposes; the same to be entered upon the grand duplicate of said county and collected in the same manner as other taxes are collected.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 17, 1883.



[Senate Bill No. 358.]

## AN ACT

To authorize the commissioners of Ashtabula county to levy a tax to build a bridge across the Ashtabula river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Ashtabula county are hereby authorized and empowered to levy a special tax upon all the taxable property of the county, not exceeding one and five-tenths mills on the valuation, for the purpose of building an iron swing bridge across Ashtabula river to the harbor. The tax so levied to be entered upon the grand duplicate of said county and collected as other taxes are collected; provided, that the amount levied in any one year for all county road and bridge purposes shall not exceed two mills on the dollar valuation, except as provided by law in the case of the destruction of county bridges.

SEC. 2. This act shall take effect on and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 18, 1883.

[Senate Bill No. 315.]

## AN ACT

To authorize the board of education of McLean township, in Shelby county, Ohio, to borrow money to build a school-house in sub-district number 3 in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of McLean township, in Shelby county, Ohio, be and they are hereby authorized and empowered to erect a school-house on the two-acre lot of ground lately purchased by said board of Joseph Rotterman in and for the use of sub-district No. three in said township, at a cost not exceeding twelve thousand dollars; and for the purpose of the expense of such erection to levy, in addition to the levies now authorized, a tax on all the taxable property of said township sufficient for said purpose, not exceeding twelve thousand dollars, which shall be certified by said board to the county auditor of said county and by him placed on the tax duplicate and collected as other taxes, an equal portion of the sum so levied to be placed on the duplicate of each year during the period of five years next following such levy; provided, that all children of school age, entitled to the benefit of the common schools, residing in said township, shall have the right to attend said school when said school-house shall be erected and occupied.

SEC. 2. The said board is hereby authorized and empowered to anticipate the collection of said taxes by borrowing such sums of money as they deem necessary, and at such time or times as they deem proper, not exceeding in the aggregate the amount of twelve thousand dollars; and for that purpose are hereby authorized and empowered to issue the bonds of said township in such denominations, at such rate of interest,

not exceeding eight per centum per annum, payable annually or semi-annually, and the principal bonds payable at such time or times as the said board may deem best.

SEC. 3. This act shall be in force and take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 18, 1883.

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[Senate Bill No. 326]

AN ACT

To authorize the trustees of the township of Defiance, Defiance county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Defiance, Defiance county, Ohio, be and they are hereby authorized to transfer the sum of five hundred dollars (\$500) from the bridge fund to the township fund of said township.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 18, 1883.

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[Senate Bill No. 369.]

AN ACT

To authorize the incorporated village of Versailles, Darke county, Ohio, to issue bonds to meet a certain indebtedness heretofore incurred.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Versailles, Darke county, Ohio, be and it is hereby authorized to issue the bonds of said village, to an amount not exceeding five thousand dollars, bearing a rate of interest not greater than six per cent. per annum, payable annually (said bonds to become due and payable in six, seven, eight, nine and ten years from the date thereof), for the purpose of paying a certain indebtedness heretofore incurred by said village by reason of a judgment obtained against the same in the sum of two thousand dollars, in favor of John Wells, in the court of common pleas of Darke county, Ohio, and for the further purpose of paying certain bonds of said village, to the amount of three thousand dollars, now due and payable, and issued for the construction of a town hall and other public buildings in said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 18, 1883.

[House Bill No. 678.]

## AN ACT

For the relief of Matilda Koenig.

WHEREAS, On the fifteenth day of January, 1878, the auditor of the state of Ohio sold to Matilda Koenig the following land in Auglaize county, Ohio, viz.:

Tract numbered three (3), described as the north part of the south part of the east half of the south-west quarter of section five (5, township six (6) south, range four, (4) east, containing sixteen (16) acres, appraised at two hundred and forty dollars, all of which was paid out;

WHEREAS, Said tract of land was erroneously reported to the auditor of state, for sale by the board of public works under the act of April 29, 1872, and as amended March 1, 1877; and

WHEREAS, It appears of "record" that the auditor of state had no right to sell said land.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of two hundred and forty dollars, with interest from the fifteenth day of January, 1878, amounting to seventy-three dollars and twenty cents, which is hereby directed to be refunded to said Matilda Koenig, and the auditor of state is hereby authorized and directed to draw his warrant on the treasury for the same.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 945.]

## AN ACT

For the relief of Joseph Bainer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Union county, Ohio, are hereby authorized to pay Joseph Bainer not exceeding one thousand dollars from the general revenue fund of said county, to reimburse him for money expended or to be expended by him by reason of injuries accidentally received by him while in the employ of said county.

SEC. 2. That before any money hereby authorized shall be paid, an itemized account of the claim for which payment is demanded shall be submitted to the said commissioners, and the same shall be approved, and the payment ordered by the unanimous vote of all of said commissioners.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 781.]

AN ACT

To authorize the county commissioners of Hamilton county to levy a tax for grading, macadamizing and graveling county roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be, and they are hereby authorized and directed to assess and collect upon the general levy of the taxable property of said county a tax not exceeding one-fifth (1-5) of one mill on the dollar, of which not more than one-tenth (1-10) of one mill shall be assessed and collected in one year, to be applied to the grading, macadamizing and graveling of county roads, as follows, viz.: Beginning in Sharon, Sycamore township, Hamilton county, a little south of the junction of the Dayton and Xenia turnpikes, opposite the store of M. J. Browne, thence running eastwardly through sections twenty-four, eighteen, twelve and six, in range one, town four in said township, to its intersection with the Cincinnati, Montgomery and Hopkinsville turnpike in section thirty-six in Symmes township in said county, and when completed to be known as the Cornell county road. Also for grading, macadamizing and graveling a county road, beginning in the center of the Cincinnati, Lebanon and Xenia turnpike on the section line between sections twenty-seven and twenty-eight, in town four, range one, Sycamore township, Hamilton county, Ohio, thence running eastwardly, bearing south through sections twenty-seven and twenty one, thence to the section line between sections fifteen and sixteen, thence eastwardly on said section line, thence south-eastwardly across the south-east corner of section fifteen through section nine to the Montgomery and Hopkinsville turnpike in section three in the village of Montgomery in said township, to be known when completed as the Cooper county road; said amount to be expended equally upon said roads by and under the direction of the county commissioners of said county in the grading, macadamizing and graveling of said roads; and no part of the money so collected shall be expended in procuring the right of way or in payment of damages in the construction of said roads.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 870.]

## AN ACT

To authorize the commissioners of Pike county to build certain roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pike county hereby are authorized, when in their judgment the best interests of the public requires, and the resident land-owners along each of the several routes of road hereinafter named shall secure to the county the right of way, and all the earth, gravel and stone which shall be necessary to the construction of either or all of said roads, free of costs and expense to the county, to construct any part or all of said roads, or any part, or all of any one or more of them, and along the following routes, to wit:

First route: Beginning at the terminus of the Waverly and Sunfish turnpike road, in the village of Latham, and running thence west with the county road, or as near as may be practicable, to the county line near Sinking Springs.

Second route: Beginning in said last-named route, at such point as may be deemed best by the commissioners, and following the best and most practicable route to or near Cynthiana, in Perry township of said county, and to intersect with the free turnpike leading from Bainbridge to Sinking Springs.

Third route: Beginning at the Scioto county line, in Marion township, and the turnpike leading to Harrisonville and Portsmouth, running thence with, or as near as can be, the present county road to the village of California, in said township; thence by the most practicable route to intersect the new turnpike being constructed under an act of the legislature, passed at the last session, called the Beaver free turnpike, at such point as may seem best for the public interests, as near Beavertown as may be practicable.

Fourth route: Beginning in the county road leading from Waverly to Buchanan, at the point where the same intersects the Waverly and Sunfish turnpike, about one and one-half miles west of Waverly, in Pee Pee township, and running thence as near as practicable with the county road to the village of Buchanan, in Pebble township.

Fifth route: Beginning at or near where the county road leading from near G. Vostine's to the Locust Grove, in Adams county, intersects the Idaho, Jasper and Piketon turnpike, and running thence with said county road, or as near as practicable, up Chenoweth's fork for a distance of five miles.

Sixth route: Beginning at a point in the Portsmouth and Columbus turnpike road, about one mile north of Waverly, at the divergence of the Bainbridge road from said turnpike; thence following, as nearly as may be practicable, said Bainbridge road to a point near Comb's trestle; thence with the Farmersville road to a point near the residence of Daniel Dudley; thence north-westerly across the lands of Daniel Dudley and Henry Jones, and with the lines of Henry Jones, George W. Ridgway, John Ridgway and August Steinich, to the Ross county line.

Seventh route: Beginning at the village of Coopersville, and running thence up Camp creek with the county road, as near as practicable, four miles.

Eighth route: Commencing at the eastern terminus of the Pike Hill improvement in Seal township, and running thence east, as near as may

be, with the county road, to the Waverly and Beaver free turnpike at Zahn's Corner.

SEC. 2. Said roads shall not be more than sixty, nor less than forty feet in width, and shall be turnpiked with earth at least twenty feet in width, so as to drain freely to the sides, and raised with stone or gravel, or both, not less than twelve, nor more than sixteen feet in width, and not less than twelve inches nor more than sixteen inches in depth, in such a manner as to secure an even and durable road, and the grade of ascent or descent shall in no case be greater than seven (7) degrees; and said roads shall be provided with all necessary side drains, water ways, culverts and bridges.

SEC. 3. That for the purpose of building said roads, and to obtain the money therefor, the commissioners shall have the right, when they have determined to build any one or more of said roads, to issue the bonds of said county, not to exceed eighteen hundred dollars for each mile determined by them to be built, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent., payable semi-annually, and which bonds shall be sold according to law.

SEC. 4. That to pay said bonds and the interest thereon as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar, annually, of the taxable property of said county.

SEC. 5. That in performing the duties required of the county commissioners under this act, all duties not herein expressly set forth shall be governed by the general laws of the state regulating the building of free turnpikes.

SEC. 6. This act shall be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 916.]

#### AN ACT

To authorize the commissioners of Clermont county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county are hereby authorized to construct the following free turnpike road: Said road to begin at Williamsburgh, thence north-east along the Williamsburgh and Fayetteville road to the lands of Joseph Smith and Dr. Elrod; thence north upon the public highway known as the McKeever road to the Jackson free turnpike; thence west along said turnpike about one mile to Blowville; thence north with the Williamsburgh and Fayetteville road to Marathon; from thence to be located upon the public highway or as near thereto as good grades and suitable land can be secured to the Newtonville and Brownsville free turnpike at Brownsville; and in locating such road, said commissioners may locate the same upon the whole or

any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same or any part thereof, and shall have the power to lay out, locate and survey such turnpike through any improved or unimproved lands, and are hereby authorized for that purpose to condemn and appropriate the necessary lands therefor in pursuance of the laws of Ohio, for the appropriation of private property for public purposes, and the payment of compensation therefor; said road shall be opened not more than sixty and not less than thirty feet wide.

SEC. 2. That said commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met, at a levy of one mill on the dollar, on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one mill on the dollar annually, on all property in said county.

SEC. 5. That a majority of said board of commissioners shall at any regular session be necessary to agree upon specifications and order said improvement or any part thereof.

SEC. 6. This act shall be in force and take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 968.]

AN ACT

To authorize the trustees of Fairfield township, in Huron county, to issue bonds for the purpose of completing a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of the township of Fairfield, in Huron county, be and they are hereby authorized to issue the bonds of said township in any sum not exceeding the sum of two thousand dollars, in addition to the sum of five thousand dollars, now authorized to be issued, to enable said trustees to complete the erection of a town hall in said township now partially built; that said bonds shall bear interest from the date the same are issued, at a rate not exceeding six per cent. per annum, payable annually, and said bonds shall be payable not more than five years after the date aforesaid, and shall not be sold for less than their par value.*

SEC. 2. The trustees of said township are hereby authorized to levy

a tax on all the taxable property of said township to meet said bonds and the interest thereon as the same shall become due.

SEC. 3. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 942.]

AN ACT

To authorize the trustees of Newton township, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the trustees of Newton township, Trumbull county, Ohio, be and they are hereby authorized to transfer the surplus funds now in cemetery fund to the general fund of said township.*

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 943.]

AN ACT

To authorize the council of the village of Ashtabula, Ashtabula county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the council of the village of Ashtabula, Ashtabula county, be and is hereby authorized to transfer any funds, now in the bond and interest fund and not needed for that purpose, into the fire department fund of said village.*

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.



[House Bill No. 763.]

## AN ACT

To authorize the Governor of Ohio to convey by deed to Charles E. Taylor and Flora Taylor, minor children of George W. Taylor, late of Montgomery county, Ohio, deceased, 100 acres of land in the north-west quarter of section 16, town 2, range 5 Miami rivers, in Miami township, Montgomery county, Ohio, sold by the state of Ohio to said Charles E. Taylor and Flora Taylor.

WHEREAS, One George W. Taylor, in his life time, was the owner of the unexpired term of the lease of the following described school lands, to wit: situate in the county of Montgomery, and state of Ohio, part of the north-west quarter of section sixteen, town two, range five, of lands between the Miami rivers, and bounded and described as follows:

I. Beginning at the north-west corner of the section at a stake, witnessed by a black oak twenty inches in diameter, bearing north  $15\frac{1}{2}^{\circ}$ , east 5 links, running thence with the west boundary of said section south  $\frac{1}{2}^{\circ}$ , west 151.83 poles to a stake corner of Thomas Darlington's; thence with said Darlington's line  $83\frac{3}{4}^{\circ}$  east 60 poles to a stake; thence in the center of the road north  $26^{\circ} 50'$ , east 67.40 poles to a stake; thence north  $1^{\circ} 10'$ , east 126.72 poles in the north boundary line of said section, witness a hickory sixteen inches in diameter bearing south  $7\frac{1}{4}^{\circ}$ , west 4 links; thence with the north boundary line of said section  $70^{\circ} 10'$ , west 97.20 poles to the beginning, containing eighty acres, two roods and fifteen perches of land, more or less.

II. Commencing at a stake 3.92 poles from the north-east corner of the north-east quarter of said section sixteen, on the line running from said corner, south  $70^{\circ} 10'$  west; thence with said west line west 72.12 poles to a stake; thence south  $1^{\circ} 10'$ , west 55 poles to a stone set for a corner stone April 15, 1861; thence north  $37^{\circ}$ , east 110 poles to the place of beginning, containing thirteen acres and sixteen perches. Said two tracts make one hundred acres, more or less. And by a proceeding in pursuance of the laws of Ohio, in the court of common pleas of Montgomery county, Ohio, said George W. Taylor surrendered his said lease of said lands and under a decree of said court made at the October term, 1877, thereof, on the ninth day of November, 1877, said Taylor purchased said lands for thirty-seven hundred and sixty-seven dollars, the appraised value thereof, and died before the purchase money thereof was fully paid; and whereas, in his last will and testament he directed Julia A. Taylor, his executrix named in said will, to pay the balance of the purchase money due on said lands from his estate and have said lands conveyed to his two minor children, Charles E. Taylor and Flora Taylor; and whereas, the said Julia A. Taylor, as such executrix, paid said purchase money in full to the state of Ohio and received a deed intended to convey said lands to said Charles E. Taylor and Flora Taylor, from the governor of Ohio, and afterwards it was discovered that the description contained in said deed was erroneous and did not describe the lands so intended to be conveyed, and afterwards upon the petition of the said Charles E. Taylor and Flora Taylor, by said Julia A. Taylor, as executrix, as aforesaid, in said court of common pleas, said deed was on the twelfth day of March, 1881, declared null and void and of no effect, and said description of said lands corrected as herein above given; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor of Ohio be and he is hereby authorized to convey by deed

in fee simple to Charles E. Taylor and Flora Taylor said one hundred acres of land by the description of the same as above given.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 969]

AN ACT

To authorize the incorporated village of New Concord, Muskingum county, Ohio, to unite with New Concord precinct, in said county, in erecting a town house, for the joint use of said village and precinct, and to raise money for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of New Concord, Muskingum county, Ohio, and the trustees of Union township, in said county, be and the same are hereby authorized to build a town house in said village for the joint use of said village and New Concord precinct in said township; the cost of said building not to exceed two thousand dollars, to be paid by said village and precinct in equal parts.

SEC. 2. The trustees of said township and the council of said village are hereby authorized to issue bonds to the amount necessary to build said house. Said bonds shall bear interest at not more than six per cent. annually, payable semi-annually, and shall not be sold for less than their par value; those for the precinct shall be signed by the trustees and countersigned and registered by the township clerk, and those for the village shall be signed by the mayor and countersigned and registered by the corporation clerk, and they shall be for such amounts and payable at such time as the said trustees or council may direct.

SEC. 3. For the purpose of raising the money to pay said bonds and the interest thereon as each matures, the said trustees and council are hereby authorized to levy a tax not exceeding two mills on the dollar in any one year, on all the taxable property in said precinct or corporation, in addition to the taxes now authorized by law.

SEC. 4. Provided, that before the issue of said bonds, the trustees of said townships shall submit the question of issuing the same to the qualified voters of said precinct at a general or special election, giving at least ten days' notice of such election in some newspaper of general circulation in said precinct; and if a majority of the vote cast at each election be favorable to the issue of said bonds, then said trustees and council may proceed to erect said town house and issue said bonds.

SEC. 5. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 975.]

## AN ACT

To authorize the trustees of Orange township, Shelby county, Ohio, and the trustees of Spring Creek township, Miami county, Ohio, to take joint charge of the burial grounds of said township of Orange.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Orange township, Shelby county, Ohio, and the trustees of Spring Creek township, Miami county, Ohio, be and they are hereby authorized and empowered, jointly to enclose, improve and protect the burial grounds in said Orange township, and known as the "Wesley Chapel Grave Yard," and for such purpose are hereby jointly vested, each for their respective townships, with all the authority and power for taxation and otherwise, which is conferred upon township trustees by sections 1464, 1465, 1466, 1470, 1471 and 1472 of the revised statutes of Ohio, so long as the same shall remain a public cemetery for the use of the people of said townships.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

[House Bill No. 960.]

## AN ACT

To authorize the council of the incorporated village of Middletown, Butler county, Ohio, to issue bonds for the redemption of water-works bonds now outstanding.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Middletown, Butler county, Ohio, be and the same is hereby authorized to issue the bonds of said village not exceeding sixty-nine thousand five hundred dollars (\$69,500), as hereinafter provided, for the sole purpose of raising funds to redeem certain bonds to the amount of sixty-nine thousand five hundred dollars (\$69,500), and issued by said village for the construction of water-works under an act of the general assembly of the state of Ohio, passed 29th day of March, 1872, and acts amendatory and supplementary thereto.

SEC. 2. Said bonds shall all bear the same date and be signed by the mayor and clerk of said village, and attested by its seal, and bear interest at a rate not exceeding five (5) per centum, payable semi-annually. That for the purpose of paying said bonds and the interest thereon, as the same may become due, or redeeming the same earlier, the said council shall be and are hereby authorized to levy a tax annually upon all the taxable property within said village, not exceeding two and one-half mills on the dollar in any one year. Said levy shall not be additional to the levy now authorized by law. Said bonds so issued with interest coupons attached, shall be in such sums of not less than one hundred dollars nor more than one thousand dollars, as the council may hereafter direct, and the interest and principal shall be payable to bearer at such

place or places as the council may direct. Said bonds shall become due and payable as follows: Two thousand dollars at the end of six years from the date thereof, redeemable at the pleasure of said council at any time after four years from the date thereof; two thousand dollars at the end of seven years from the date thereof, redeemable at the pleasure of said council at any time after five years from the date thereof; two thousand dollars at the end of eight years thereof, and redeemable at the pleasure of said council at any time after six years from the date thereof; two thousand dollars at the end of ten years from the date thereof, and redeemable at the pleasure of said council at any time after eight years from the date thereof; two thousand dollars at the end of eleven years from the date thereof, and redeemable at the pleasure of said council at any time after nine years from the date thereof; two thousand dollars at the end of twelve years from the date thereof, and redeemable at the pleasure of said council at any time after ten years from the date thereof; two thousand dollars at the end of thirteen years from the date thereof, redeemable at the pleasure of said council at any time after eleven years from the date thereof; two thousand dollars at the end of fourteen years from the date thereof, redeemable at the pleasure of said council at any time after twelve years from the date thereof; two thousand dollars at the end of fifteen years from the date thereof, redeemable at the pleasure of said council at any time after thirteen years from the date thereof; twenty-five thousand dollars at the end of twenty years from the date thereof, redeemable at the pleasure of said council at any time after ten years from the date thereof; twenty-four thousand five hundred dollars at the end of thirty years from the date thereof, redeemable at the pleasure of said council at any time after fifteen years from the date thereof

SEC. 3. Said bonds shall not be sold for less than their par value, and it shall be the duty of the clerk of said village to keep a full and complete record of all of said bonds in a book provided for that purpose by the council of said village.

SEC. 4. This act shall be in full force and effect on and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 896.]

#### AN ACT

To authorize the liquidator of the Glasgow-Port Washington Iron and Coal Company, "limited", to convey real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That the said Lawrence H. Watson, liquidator of the "Glasgow-Port Washington Iron and Coal company," "limited," be and he is hereby authorized and empowered, in the name and on behalf of the said "The Glasgow-Port Washington Iron and Coal Company," "limited," to sell and transfer all of the real estate of said corporation situated in the state of Ohio, in whole or in part, and to convey the same by proper deeds executed according to the laws of this state, and that such conveyance or convey*

ances shall operate to pass all the title, legal or equitable, of said company in said real estate.

SEC. 2. If a vacancy in said office of liquidator should occur from any cause, before all of said real estate shall be conveyed, the successor in office of said Lawrence H. Watson may execute all the power and authority conferred by this act upon said liquidator.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 18, 1883.

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[House Bill No. 660.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to levy a tax for the entire completion of a thoroughfare known as Glenway West.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county may levy a tax of one-twelfth of one mill upon the tax duplicate of said county, to be applied by them for the entire completion of a thoroughfare known as Glenway West.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 935.]

AN ACT

To authorize the commissioners of Hamilton county to levy a tax for grading and completing an avenue, known as Badgely avenue, extending from the Mt. Airy free turnpike to Highland avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized to assess and collect upon the grand levy of the taxable property of said county a tax not exceeding one-twentieth (1-20) of a mill on the dollar, which shall be assessed in the year eighteen hundred and eighty-three (1883), to be applied to the grading and completing of an avenue extending from the Mt. Airy free turnpike to Highland avenue, known as the Badgely road; provided, that the fund raised by said levy shall not be diverted from the object for which this levy is authorized, or transferred to the credit of any other fund, or used for any other purpose whatever; and provided, further, that said avenue shall be established, graded and completed over said

Badgely road, as aforesaid, under the supervision of said board of county commissioners.

SEC. 2. This act shall take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

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[House Bill No. 940.]

AN ACT

To amend section 2 of an act to authorize the commissioners of Hamilton county to levy a tax for the building, construction, and erection of a morgue; passed April 6, 1882. (O. L., Vol. 79, page 192.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* section two of an act to authorize the commissioners of Hamilton county to levy a tax for the building, construction and erection of a morgue, passed April 6, 1882 (O. L., Vol. 79, page 192), be amended to read as follows:

Section 2. Said morgue may be erected on the north side of the Hamilton county jail lot between the jail and court house of said county, or on any lot purchased or otherwise secured for said morgue, by the commissioners and coroner of said county, within the corporate limits of the city of Cincinnati, Hamilton county. When said morgue is completed, it shall, by resolution of the board of county commissioners, be placed in charge of the coroner of said county. Said morgue shall be maintained, cared for, and kept in good repair as other county property by and under the directions of the commissioners of said county of Hamilton. And for said purpose of purchasing a lot on which to build said morgue and for maintaining and keeping said morgue in repair, the said commissioners are authorized to appropriate any surplus, remaining in the fund herein created to build, construct and erect said morgue, and any surplus remaining in the building fund of Hamilton county.

SEC. 2. That said original section 2 be and the same is hereby repealed; and this act to take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 466]

AN ACT

To authorize the commissioners of Hamilton county to complete a certain unfinished county road, and to levy a tax to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio, That* the commissioners of Hamilton county be and they are hereby authorized to complete the county road, known as Wayne avenue, in Springfield township, in said county, beginning at the north abutment of the

bridge over Millcreek, between Hartwell and the grounds of the Hamilton county agricultural society, and extending north therefrom a distance of sixteen hundred (1600) feet, on the survey made December 18, 1878, by order of the commissioners of said county, and adopted by them March 5, 1879; provided, that no part of the money appropriated or expended for such purpose shall be applied in the purchase of the right of way.

SEC. 2. That for the purpose herein specified the commissioners of said county may levy a tax, not exceeding one-fiftieth (1-50) of one mill on each dollar of the taxable valuation of all the property in said county.

SEC. 3. This act to take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HORR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 966.]

AN ACT

To authorize the council of the village of McConnelsville, Ohio, to transfer certain moneys from the work-house fund to the general and incidental fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of McConnelsville, Ohio, be and the same is hereby authorized to transfer the work-house fund to the general and incidental fund of said village.

SEC. 2. This act shall be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Passed April 19, 1883.

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[House Bill No. 875.]

AN ACT

To authorize the creation of a special school district in Bloomfield township, Logan county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory in Bloomfield township described as follows: Commencing at a point one-half mile east of the north-west corner of section twenty (20), thence east with the section lines between sections seventeen (17) and twenty (20), and sixteen (16) and twenty-one (21), and fifteen (15) and twenty-two (22), to the Mirchinippe creek, thence with the course of said creek to the Miami river, thence with the channel of said river in a south-westerly direction to point in said river one-half mile south of the south line of section twenty-two (22), thence directly west through the center of section twenty-eight (28) to the center of section twenty-

nine (29), thence directly north from the center of section twenty-nine (29) through the center of section twenty (20) to place of beginning, be and the same is hereby declared to be and constitute a special school district, to be known as the Bloom Center District.

SEC. 2. The electors of said district shall proceed to elect three members of the board of education, one for one year, one for two years, and one for three years from the third Monday in April, 1883, who shall hold their office for the term specified, and until their successors are elected and qualified.

SEC. 3. The said special school district shall be entitled to all the school property within its territory, and the title thereto is hereby vested in the board of education of said special school district, and the said special school district shall be entitled to and receive their proportionate share of the school funds, and the funds levied for school-house and incidental expenses, in accordance with the enumeration of 1882 of children who are entitled to attend school, said funds being those now collected or already levied and not collected, within the counties or townships, for the years 1882 and 1883.

SEC. 4. This act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[House Bill No. 532.]

#### AN ACT

To authorize the trustees of Perry township, Shelby county, to procure cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Perry township, Shelby county, be and are hereby authorized to procure by purchase or appropriation the following lands in said township, to wit: commencing at the north-east corner of land owned by Mary Jackson in Sec. 28, tp. 2, R. 13. M. R. S. on the center line of said section; thence south with the east line of said land to the south-east corner of said Jackson's land, in the center of the Tawawa pike, thence in a south-easterly direction along the center of said pike, so far that a line north, parallel to said east line to the center line of said section and west along said center line to the place of beginning, will contain ten acres strict measure, for cemetery grounds for said township, whenever they find that public necessity requires the same for said purposes.

SEC. 2. This act to take effect from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.



[Senate Bill No. 362.]

## AN ACT

To amend section 1 of an act entitled "an act to divide the township of Rockport, Cuyahoga county, Ohio, into two election precincts." (73 O. L. 256).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "an act to divide the township of Rockport, Cuyahoga county, Ohio, into two election precincts," be so amended as to read as follows:

Section 1. That the township of Rockport, Cuyahoga county, Ohio, be and the same is hereby divided into two election precincts, as follows, to wit: Sections numbers sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24) and twenty-five (25) of said township shall be known as election precinct number one (1), and sections one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14) and fifteen (15) of said township shall be known as election precinct number two (2), and that elections shall be held in both precincts for township purposes, as well as all other elections.

SEC. 2. That said original section one (1) be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

[Senate Bill No. 235.]

## AN ACT

To authorize the commissioners of Montgomery county to build a bridge across Stillwater river in Harrison township, of said county, and to levy a tax for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Montgomery county be and they are hereby authorized to construct a bridge across Stillwater river in Harrison township, in said county, at or near the point where the county road leading from the New Troy turnpike road to the Covington turnpike road, and passing the Emburg Park camp-meeting grounds, intersects said river.

SEC. 2. For the purpose of raising money to defray the expense of constructing said bridge, said commissioners are authorized and empowered to issue bonds of said Montgomery county at not less than five hundred dollars each, bearing interest at the rate of six per centum per annum, payable semi-annually, not to exceed in the aggregate the sum

of twenty thousand dollars, said bonds to be negotiable, payable within seven years from the date of their issue.

SEC. 3. Said bonds shall be signed by said commissioners and countersigned by the auditor of said Montgomery county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued, when made payable, and when redeemable. Said bonds shall be sold for not less than par to the highest and best bidder, after at least ten days' advertisement.

SEC. 4. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax sufficient in amount to pay said interest and principal, and such tax shall be levied in the same manner that other taxes for bridge purposes are levied by said commissioners and upon the same property.

SEC. 5. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 359.]

#### AN ACT

To authorize the board of education of Milford village school district to levy a tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Milford village school district of Clermont county, Ohio, be and is hereby authorized to levy upon all the taxable property of said district, including the said village and territory annexed thereto for school purposes, for the purpose of carrying on the school of said district, fencing the school ground and keeping the school property in repair, not exceeding three mills on the dollar in any one year in addition to the taxes now authorized by law.

SEC. 2. Provided, that before said tax shall be levied, the board of education of said Milford village school district shall submit the proposition to the electors thereof at a special or regular election, to be held at such time and place within said district as the said board may determine, notice of which shall be given, and of the time and place of holding said election and the amount of tax to be levied, and time to which it shall extend, at least twenty days prior to the time of holding such election, which notice shall be in writing and posted in at least four of the most public places in said district, and the form of ballot shall be as follows: Those in favor of said tax shall have written or printed on their ballots, "School tax—Yes." Those who are opposed to the said tax shall have written or printed on their ballots, "School tax—No." The election shall be held in accordance with the election laws of the State, and the poll books and the returns thereof shall be made to the clerk of the board of education of said village school district, who shall present them to the board at a regular or called meeting for that purpose, when the same shall be opened by the clerk and canvassed by

the board, and the result declared and entered on the minutes of the said board, and if it shall appear that a majority of the ballots cast at said election were in favor of "tax," then the said board of education shall certify the same to the county auditor of Clermont county, who shall levy and assess the same on all the taxable property of said Milford village school district, which taxes shall be collected as other taxes are collected.

SEC. 3. That this act take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 372.]

AN ACT

To authorize the trustees of Pitt township, Wyandot county, Ohio, to transfer surplus money belonging to the poor fund to that of the township fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pitt township, Wyandot county, Ohio, be and they are hereby authorized to transfer one hundred dollars, a surplus sum now in the hands of the treasurer of said township, and which is not required or needed for poor purposes, to that of the township fund, and that the said one hundred dollars so transferred be used under the direction of the trustees of Pitt township, Wyandot county, for township purposes.

SEC. 2. That this act take effect and be in force from and after its passage.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 351.]

AN ACT

To authorize the council of the incorporated village of Orrville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Orrville, in the county of Wayne, is hereby authorized to transfer any surplus fund, not exceeding fifty-five dollars and thirty-five cents, from the cemetery fund in the treasury of said village to the street lighting fund therein; and to transfer any surplus fund not exceeding five hundred dollars, from the fire fund in said treasury to the building fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HORR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 367.]

AN ACT

Supplementary to "an act to authorize the trustees of Canfield township, Mahoning county, Ohio, to issue bonds for the purpose of repairing buildings," etc., passed April 27, 1877 (O. L. 74, p. 482).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in addition to the power and authority conferred by the act to which this is supplementary, the council of the incorporated village of Canfield, Ohio, which said village is situate within the limits of the township named in said act, are hereby authorized to levy a tax, annually, on all the taxable property within the limits of said village, to aid in the payment of the bonds issued in pursuance of said act, together with the interest accrued and to accrue thereon.

SEC. 2. The tax authorized to be levied by the first section of this act, shall not exceed in any year the rate levied by the trustees of said township for that year for the purpose of paying said bonds and interest.

SEC. 3. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives*  
 R. A. HORR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

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[Senate Bill No. 287.]

AN ACT

To authorize the commissioners of Montgomery county to build a bridge across Mad river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Montgomery county, Ohio, be and they are hereby authorized and empowered to build a bridge across Mad river at the point where the county road crosses said Mad river, at or near its mouth, and to construct the necessary approaches thereto; and for the purpose of building said bridge and constructing said approaches, said commissioners are hereby empowered to issue the bonds of said county, not to exceed twenty thousand (\$20,000) dollars, in sums not less than one hundred, nor more than one thousand dollars, and payable at such times as

said commissioners may deem most advantageous, not exceeding seven years from the date of their issue, and to negotiate and sell the same at not less than their par value; but the interest upon such bonds shall not exceed six per cent. per annum.

SEC. 2. This act shall take effect and be in force from and after its passage.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate.*

Passed April 19, 1883.

## JOINT RESOLUTIONS.

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[Senate Joint Resolution No. 44.]

### JOINT RESOLUTION

Appointing a joint committee to wait on the governor.

*Resolved by the General Assembly of the State of Ohio, That a committee be appointed, two on the part of the senate, and three on the part of the house, to wait on the governor and inform him that the general assembly is now in session and ready to receive any communication he may have to transmit.*

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted January 4, 1883.

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[Senate Joint Resolution No. 45.]

### JOINT RESOLUTION

Relative to counting the vote for state officers.

*Resolved by the General Assembly of the State of Ohio, That the two houses of the general assembly meet in joint convention in the hall of the house of representatives on Wednesday, the 3d day of January, A. D. 1883, at 11 o'clock A. M., and attend to the count of the vote for state officers.*

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted January 4, 1883.

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[Senate Joint Resolution No. 46.]

### JOINT RESOLUTION

Providing for the appointment of a joint committee to confer with the judges and officers of the supreme court, relative to relieving the docket and providing more office room.

*Resolved by the Senate and House of Representatives of the General Assembly of the State of Ohio, That a committee of two on the part of the senate and three on the part of the house of representatives be appointed,*

who shall at once proceed to consult with the judges and officers of the supreme court of the state of Ohio as to the best and most practical way of relieving said court from its present embarrassed condition by reason of an overburdened docket and the great number of new cases constantly being filed that need the immediate attention of said court, and the absolute necessity by the clerk or said court for more office room, and that said committee report by bill or otherwise at an early date.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted January 11, 1883.

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[House Joint Resolution No. 56.]

JOINT RESOLUTION

To provide for binding in cloth the school commissioner's report.

*Be it resolved by the General Assembly of the State of Ohio, That the state supervisor of public printing be directed to bind in cloth the ten thousand extra copies of the report of the state commissioner of common schools for 1882 authorized by resolution April 17, 1882.*

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted January 11, 1883.

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[House Joint Resolution No. 57.]

JOINT RESOLUTION

Providing for printing additional copies of the auditor of state's report.

*Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to cause to be printed and bound in cloth, two thousand additional copies of the report of the auditor of state, the same to be distributed by said auditor.*

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

. Adopted January 11, 1883.

[House Joint Resolution No. 59.]

## JOINT RESOLUTION

To correct an error in H. B. numbered 436.

WHEREAS, In the enrollment of house bill No. 436, passed at the last session of the general assembly, an omission occurred, leaving out of the commission provided for in said bill the speaker of the house; and

WHEREAS, It was the intention of the general assembly that he should be a member of said commission; therefore, be it

*Resolved by the General Assembly of the State of Ohio*, That the members of said commission, as named in the act as published, be and they are hereby requested to recognize as a member of said commission the member omitted as aforesaid in said act.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
R. G. RICHARDS,

*President of the Senate.*

Adopted January 11, 1883.

[Senate Joint Resolution No. 48.]

## JOINT RESOLUTION

Providing for the binding and distribution of the catalogue of the state library.

*Resolved by the General Assembly of the State of Ohio*, That the supervisor of public printing be and he is hereby authorized and directed to have bound together in one volume in cloth two hundred copies of the catalogue as now perfected, of the Ohio state library, and two hundred copies of the supplement recently prepared in the same style of binding, and that he deliver the same to the state librarian, who shall distribute the same in the following manner, to wit: one copy of the complete catalogue to each member of the 65th general assembly, and one copy each to the chief clerk of the house and senate, one copy to each of the public libraries and college libraries of the state, and the rest to be furnished libraries in other states as the state librarian may indicate and deem most entitled to them; provided, that those colleges and public libraries which have received heretofore a bound volume of the printed catalogue, shall only be entitled to receive, and the state librarian is hereby directed to give them only the supplement as hereinbefore provided to be issued.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,

*President of the Senate.*

Adopted January 17, 1883.



[House Joint Resolution No. 67.]

## JOINT RESOLUTION

Providing for printing copies of tax commission report.

*Resolved by the General Assembly of the State of Ohio,* That there be printed for the use of the members of the senate and house, two thousand additional copies of the report of the tax commissioners.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted January 25, 1883.

[House Joint Resolution No. 66.]

## JOINT RESOLUTION

Providing for the making of boxes at the deaf and dumb asylum for the use of state departments.

WHEREAS, All boxes used for packing books and documents by the respective state departments at Columbus, can be more economically made at the carpenter shop at the deaf and dumb asylum than elsewhere, and at the same time afford the mutes another facility in their industrial pursuits; therefore, be it

*Resolved by the General Assembly of the State of Ohio,* That whenever any of such boxes are needed by any of the state departments, the head of said department shall make out an order therefor, giving the number and dimensions of the same, and transmit it to the superintendent of said asylum, whose duty it shall be to cause said order to be filled at the carpenter shop of the asylum, and deliver the same at the earliest day practicable. He shall keep an account of the number of boxes manufactured, and for what department manufactured, and the trustees of said asylum shall incorporate the same in their annual report to the governor.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted January 31, 1883.

[House Joint Resolution No. 72.]

## JOINT RESOLUTION

Providing for the printing of additional copies of the adjutant-general's report.

*Resolved by the General Assembly of the State of Ohio,* That in addition to the number now authorized by law, there shall be printed for the use

of the Ohio national guards one thousand additional copies of the report of the adjutant-general, five hundred of which shall be bound in cloth.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted February 1, 1883.

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[House Joint Resolution No. 65.]

### JOINT RESOLUTION

Memorializing congress relative to increase of pensions in certain cases.

WHEREAS, There is now pending in the United States senate a bill known as house bill number fourteen hundred and ten, designed to increase the pension of soldiers having lost in the line of duty one arm, one hand, one leg, or one foot, as amended; therefore, be it

*Resolved by the General Assembly of the State of Ohio,* That we fully approve the contents of said bill, and recommend its passage by congress at an early date as amended by said committee, and a copy of this resolution be by the governor forwarded to the members of the house and senate in congress from Ohio.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted February 1, 1883.

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[Senate Joint Resolution No. 47.]

### JOINT RESOLUTION

Instructing Ohio senators and representatives in congress to oppose any reduction in the existing tariff duties on imported wool.

WHEREAS, The interests of the wool-growers of Ohio are seriously endangered by the contemplated reduction in the tariff duties on imported wools; therefore,

*Be it resolved by the General Assembly of the State of Ohio,* That our senators and representatives in congress be and are hereby requested to vote against, and to use all honorable means to prevent any reduction in the existing tariff duties on wools imported from foreign countries, and that the governor of Ohio be requested to forward copies of this resolution to the presiding officer of each house of congress, and to each of the senators and representatives from Ohio.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted February 9, 1883.

[Senate Joint Resolution No. 53.]

## JOINT RESOLUTION

Relating to the release by the attorney-general of the lien of the state on certain real estate and collaterals owned by John L. Gill.

WHEREAS, The state of Ohio has a lien, by reason of a judgment, upon the real estate and upon certain mortgage bonds given as collateral, the property of John L. Gill; and

WHEREAS, It is believed that if the said lien is released upon that part of said real estate to be disposed of, and said collaterals returned, that sufficient real estate remains as security for said judgment; therefore, be it

*Resolved by the General Assembly of the State of Ohio*, That the attorney-general of this state be and he hereby is authorized and empowered by and on behalf of the state of Ohio to release such parts of said real estate, so as to be disposed of from the lien of said judgment and return said collaterals; provided, that after an examination by the said attorney-general he is satisfied that sufficient real estate as collaterals remain, after said release, to amply secure the state upon said judgment, and only in that event shall the release be made.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted February 16, 1883.

[House Joint Resolution No. 76.]

## JOINT RESOLUTION

Providing for printing lists of members of House and Senate.

*Resolved by the General Assembly of the State of Ohio*, That under the supervision of the chief clerks of the senate and house, there be and is hereby ordered to be printed, one thousand copies of the list of officers and members of this general assembly, together with the standing committees thereof, as at present constituted.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted February 16, 1883.

[House Joint Resolution No. 89.]

## JOINT RESOLUTION

Directing the adjutant-general to repair closets in the state house.

*Resolved by the General Assembly of the State of Ohio*, That the adjutant-general be and he is hereby directed to repair and refurnish th

closet in the north corridor of the capital exclusively for ladies, and at a cost not to exceed two hundred dollars; and that he also have constructed two additional closets for the use of the senate, in the north-east court of the state house, at a cost not to exceed six hundred dollars (\$600).

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Adopted March 2, 1883.

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[House Joint Resolution No. 75.]

JOINT RESOLUTION

Authorizing the sinking fund commissioners to place a fire-grate in their room.

*Be it resolved by the General Assembly of the State of Ohio,* That the commissioners of the sinking fund be and that they are hereby authorized to have a grate or other suitable heating apparatus constructed in their office, and that they shall have authority to pay for such improvement out of the contingent fund of said office.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. A. HERR,  
*President pro tem. of the Senate.*

Adopted March 2, 1883.

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[House Joint Resolution No. 62.]

JOINT RESOLUTION

To authorize the appointment of a commission to inquire into the system of screening coal.

WHEREAS, It is alleged that the present mode of screening coal works injustice to the miners of the state;

*Resolved by the General Assembly of the State of Ohio,* That the governor be and is hereby authorized and directed to appoint three competent persons, who shall constitute a board of commissioners, whose duty it shall be to visit the principal coal mines of the state, to inquire into the various systems of screening coal as between the miners and operators of the state. And said commissioners shall have power to take testimony in the premises, for which purpose they shall have the same power to administer oath and compel the attendance of witnesses, as notaries public, and they shall report to the governor, on or before the first of December, A. D. 1883, for the use of the general assembly, the facts in the premises, with such recommendations on the subject as in their judgment may be deemed necessary; and such commissioners shall immediately after their appointment be sworn or affirmed to support the

constitution of the United States and the state of Ohio, and to faithfully and impartially discharge their duties in the premises, and they shall each receive the sum of five dollars per day and their expenses while actually engaged in the discharge of their duties.

*Resolved*, That said commissioners be and they are hereby directed to inquire into the operation and results of the law to prevent the payment of wages in scrip (R. S., sections 7015, 7016 and 7017), and all other grievances, and to report the facts and their conclusions in the premises, and what additional legislation, if any, is required on this subject.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted March 15, 1883.

[House Joint Resolution No 91.]

#### JOINT RESOLUTION

Appointing a joint committee to attend the funeral of Judge William White.

*Be it resolved by the General Assembly of the State of Ohio*, That as a token of respect to the memory of Judge William White, that a committee, consisting of five on the part of the house and three on part of the senate, be appointed to represent the general assembly at his funeral obsequies, and the president and president pro tem. and speaker and speaker pro tem. are requested to accompany and act with said committee.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted March 15, 1883.

[Senate Joint Resolution No. 62.]

#### JOINT RESOLUTION

Amendatory of House Joint Resolution No. 62.

*Resolved by the General Assembly of the State of Ohio*, That the board of commissioners heretofore created by this general assembly under house joint resolution No. 62, shall have power to appoint a clerk for said board, whose compensation shall be the same as the members of said commission.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted March 21, 1883.

[Senate Joint Resolution No 49.]

## JOINT RESOLUTION

In relation to a contract for keeping boys in the Toledo house of refuge.

*Resolved by the General Assembly of the State of Ohio*, That the auditor of state and attorney-general be and they are hereby authorized to enter into a contract with the city of Toledo, through the board of directors of the house of refuge and correction of said city, for the keeping and maintaining at said institution in such manner as may be agreed upon in such contract, for the period of three years, of a number of boys under the age of sixteen years, who may be sentenced to confinement in the house of refuge and correction, under the laws of Ohio, not exceeding an average of one hundred and sixty, and at a rate of compensation which shall not exceed two dollars and fifty cents per week, to be paid by the state; provided, the directors of said house of refuge and correction furnish the necessary mechanical industries upon the premises of said institution for the proper employment of the boys; provided, that all inmate citizens of the city of Toledo, sentenced by its police courts, shall be kept and supported by said city; and provided, further, that nothing herein shall in any way be construed to be initiatory steps to an additional reform school.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted March 29, 1883.

[House Joint Resolution No. 73.]

## JOINT RESOLUTION

Proposing an amendment to article four of the constitution of the state.

SECTION 1. *Be it resolved by the General Assembly of the State of Ohio* (three-fifths of the members elected to each house agreeing thereto), That a proposition to amend the constitution of the state of Ohio be, and the same is hereby submitted to the electors of the state at the election to be held on the second Tuesday of October, A. D. 1883, as follows:

That sections one, two and six of article four, entitled "judicial," be amended so as to read as follows:

Section 1. The judicial power of the state is vested in a supreme court, circuit courts, courts of common pleas, courts of probate, justices of the peace, and such other courts inferior to the supreme court, as the general assembly may from time to time establish.

Section 2. The supreme court shall, until otherwise provide [provided] by law, consist of five judges, a majority of whom competent to sit shall be necessary to form a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus and procedendo, and such

appellate jurisdiction as may be provided by law. It shall hold at least one term in each year at the seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large, for such term, not less than five years, as the general assembly may prescribe, and they shall be elected and their official term shall begin at such time as may be fixed by law. In case the general assembly shall increase the number of such judges, the first term of each of such additional judges shall be such, that in each year after their first election, an equal number of judges of the supreme court shall be elected, except in elections to fill vacancies; and whenever the number of such judges shall be increased, the general assembly may authorize such court to organize divisions thereof, not exceeding three, each division to consist of an equal number of judges; for the adjudication of cases, a majority of each division shall constitute a quorum, and such an assignment of the cases to each division may be made as such court may deem expedient, but whenever all the judges of either division hearing a case shall not concur as to the judgment to be rendered therein, or whenever a case shall involve the constitutionality of an act of the general assembly or of an act of congress, it shall be reserved to the whole court for adjudication. The judges of the supreme court in office when this amendment takes effect, shall continue to hold their offices until their successors are elected and qualified.

Section 6. The circuit court shall have like original jurisdiction with the supreme court, and such appellate jurisdiction as may be provided by law. Such courts shall be composed of such number of judges as may be provided by law, and shall be held in each county, at least once in each year. The number of circuits, and the boundaries thereof, shall be prescribed by law. Such judges shall be elected in each circuit by the electors thereof, and at such time and for such term as may be prescribed by law, and the same number shall be elected in each circuit. Each judge shall be competent to exercise his judicial powers in any circuit. The general assembly may change, from time to time, the number of boundaries of the circuits. The circuit courts shall be the successors of the district courts, and all cases, judgments, records, and proceedings pending in said district courts, in the several counties of any district, shall be transferred to the circuit courts in the several counties, and be proceeded in as though said district courts had not been abolished, and the district courts shall continue in existence until the election and qualification of the judges of the circuit courts.

*And be it further resolved,* That at said election, the voters desiring to vote in favor of said amendment, shall have placed upon their ballots the words, "Judicial constitutional amendment—Yes;" and the voters who do not favor the adoption of said amendment, may place on their ballots the words, "Judicial constitutional amendment—No;" and if a majority of all the votes passed [cast] at said election shall be in favor of said amendment, then said sections one, two and six herein set forth, shall be and constitute the sections so amended in said judicial article (four) of the constitution of the state of Ohio, and said original sections

one, two and six, and also sections five and eleven of said article shall be repealed and annulled.

I. N. HATHAWAY,  
*Speaker pro tem. of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Adopted March 30, 1883.

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[Senate Joint Resolution No. 50.]

### JOINT RESOLUTION

Proposing amendments to the constitution.

*Be it resolved by the General Assembly of the State of Ohio, That, at the general election to be held on the second Tuesday of October, 1883, there shall be submitted to the electors for their approval or rejection two propositions to amend the constitution of the state, as follows:*

#### FIRST PROPOSITION.

"The additional section" in and with section eighteen of the schedule shall be repealed, and there shall be substituted for it the following:

"The general assembly shall regulate the traffic in intoxicating liquors so as to provide against evils resulting therefrom; and its power to levy taxes or assessments thereon is not limited by any provision of this constitution."

#### SECOND PROPOSITION.

"The additional section" in and with section eighteen of the schedule shall be repealed, and there shall be substituted for it the following:

"The manufacture of and the traffic in intoxicating liquors to be used as a beverage are forever prohibited; and the general assembly shall provide by law for the enforcement of this provision."

The electors voting in favor of the said first proposition shall have on their ballots the words, "Regulation and taxation of the liquor-traffic—Yes"; and those voting in favor of the said second proposition shall have on their ballots the words, "Prohibition of intoxicating liquors—Yes."

If either of the said two propositions be thus approved by a majority of the electors voting at the said election, then the amendment therein proposed shall constitute a separate section of article fifteen of the constitution.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Adopted April 4, 1883.



[Senate Joint Resolution No. 56.]

## JOINT RESOLUTION

**Authorizing the adjustment of certain claims of the state against certain parties.**

*Resolved by the General Assembly of the State of Ohio, That the auditor of state, treasurer and attorney-general be and they are hereby authorized and empowered to investigate, and, if in their opinion it is for the best interest of the state, to adjust and settle upon such terms as they may deem best, all claims that the state now has against Brooks & Patton, W. B. Brooks and A. G. Patton, G. Schreyer, Geo. W. Gill and his sureties, John L. Gill and the estate of Windsor Atcheson, deceased.*

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted April 11, 1883.

[Senate Joint Resolution No. 67.]

## JOINT RESOLUTION

**Relative to providing rooms for use of supreme court commission.**

*Resolved by the General Assembly of the State of Ohio, That the attorney-general is hereby authorized to use, in common with the commissioners of the sinking fund, room number two (2), in the state house, and that room number five (5) in said building, now occupied by the attorney-general, is hereby assigned to the use of the supreme court commission.*

The adjutant-general is hereby authorized and instructed to procure suitable furniture, and prepare said room number five (5) for the convenient use of said supreme court commission.

I. N. HATHAWAY,

*Speaker pro tem. of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted April 11, 1883.

[House Joint Resolution No. 100.]

## JOINT RESOLUTION

**Relating to the supreme court commission.**

*Resolved by the General Assembly of the State of Ohio, That the secretary of state be and he is hereby directed to furnish, for the use of the commission, the following books: ten copies of the latest edition of the revised statutes; five copies of Walker & Bates and Bates digest; and one*

set of the Ohio reports, and one set of the Ohio state reports, and may furnish not to exceed five sets of the Ohio reports and Ohio state reports, if the same can be done without cost to the state, and that said commission have the same privileges as to the use of the public libraries of the state as the supreme court, and that each of said commission be furnished by the secretary of state with advanced sheets of the Ohio state reports and copies of the state reports published during the continuance of said commission.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
 R. G. RICHARDS,  
*President of the Senate.*

Adopted April 16, 1883.

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[Senate Joint Resolution No. 68.]

### JOINT RESOLUTION

Relative to the boundary line between the states of Ohio and Pennsylvania.

WHEREAS, A commission, composed of Joseph M. Rickey, Jas. Mackey and Henry B. Perkins, was appointed by the governor of Ohio, under and by virtue of an act of the general assembly of said state, passed May 3, 1878, and an act supplementary thereto, passed May 27, 1879, to act in conjunction with a similar commission of the state of Pennsylvania in examining as to the true location of the monuments which mark the boundary line between the state of Ohio and the state of Pennsylvania, and in connection with said commission of the said state of Pennsylvania to replace any monuments that have been removed or have become displaced or dilapidated on the boundary line of said states, and to erect such other suitable monuments along said boundary line when determined, as shall be sufficient to properly mark the same; and

WHEREAS, It appears from a report duly made by said commission in conjunction with a like commission upon the part of the state of Pennsylvania to the governor of Ohio, bearing date of February 1, A. D. 1883, and by said governor transmitted to the general assembly, together with the field-notes of their survey, and an accurate map of said boundary line that said commission upon the part of the state of Ohio, and said commission upon the part of the state of Pennsylvania, duly empowered so to do, have resurveyed said boundary line, examined as to the true location of the monuments which marked the same, and have erected suitable monuments along said boundary line sufficient to properly mark the same, and when the boundary line was along a public highway the commissioners have placed index monuments at recorded distances from the true line upon the side of said highway; and

WHEREAS, Said boundary line is now accurately marked and described in said report, and the field-notes and the map accompanying same; therefore, be it

*Resolved by the General Assembly of the State of Ohio, That said*

boundary line, as marked by said commission, and set forth in their report, field-notes and map is hereby accepted by the state of Ohio as the true boundary line between the state of Ohio and the state of Pennsylvania.

*Resolved*, That the auditor of state is hereby required and directed to carefully preserve in his office the report of the joint commission, field-notes and map, together with two reports made by the Ohio commission, and to cause one thousand (1,000) copies of said report, field-notes and map, together with the laws of Ohio and Pennsylvania, creating and instructing their respective commissions, as well as this joint resolution, to be published and bound in cloth, for distribution as he may think best, and the cost of printing and binding the same to be paid for out of the appropriations made for printing and binding for the state, the accounts therefor to be audited by the supervisor of public printing and approved by the commissioners of printing.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate*

Adopted April 17, 1883.

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[Senate Joint Resolution No. 63.]

#### JOINT RESOLUTION

Relative to placing Ohio and Ohio state reports in office of commissioner of common schools.

*Resolved by the General Assembly of the State of Ohio*, That the secretary of state be and he is hereby directed to cause to be placed in the office of the state commissioner of common schools, one complete set of Ohio and Ohio state reports for the use of said office; providing the state is put to no expense thereby.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted April 17, 1883.

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[Senate Joint Resolution No. 55.]

#### JOINT RESOLUTION

Relative to the adjustment of a claim of Thomas A. Conrad,

WHEREAS, Thomas A. Conrad claims that there is due him for work done and materials furnished by him as a sub-contractor in the rebuilding of the Ohio soldiers' and sailors' orphans' home, at Xenia, Ohio, the sum of two hundred and thirty-two dollars; therefore,

*Be it resolved by the General Assembly of the State of Ohio, That the board of trustees of said institution are hereby authorized and required to examine the evidence of said claim and determine the amount, if any, legally and equitably due the said Thomas A. Conrad thereon, and report the same to the next general assembly.*

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted April 17, 1883.

[Senate Joint Resolution No. 61.]

# JOINT RESOLUTION

Relative to exchanging old edition for new edition of the revised statutes.

*Resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby authorized to exchange all the copies of the old edition of the revised statutes of Ohio, now on hand belonging to the state, not exceeding eighteen hundred and fifty, for an equal number of copies of the new edition of the revised statutes of Ohio as corrected, revised and improved, containing notes and references to all amendments to said statutes up to and including those made by the present general assembly, said copies to be folded and delivered at the state bindery ready for binding in three volumes, as hereinafter mentioned, and the superintendent of public printing is hereby directed to have the copies above provided for bound at the state bindery, the binding to be in three volumes; volume three to contain the constitution of the United States, now published with the statutes, and the state of Ohio and the laws of congress, also the indexes to the constitution and the general index to the whole; and volumes one and two to contain the remainder of the matter, divided between the two as equal as practicable. Said new copies of the revised statutes, when bound, shall be kept, used or disposed of in the same manner as is now provided for keeping, using or disposing of the old edition of the revised statutes, or in such manner as the general assembly may hereafter direct. For the purpose of enabling the secretary of state to effect said exchange, he is hereby authorized to contract for the payment of two dollars and fifty cents per copy, for the difference in value between said new edition and said old edition of the revised statutes.*

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted April 17, 1883.

[House Joint Resolution No. 102.]

## JOINT RESOLUTION

Providing for the sale of old carpets in the offices of state treasurer and secretary of state.

*Resolved*, That the treasurer and secretary of state be and are hereby authorized to sell the old carpets now in their departments, the proceeds of which shall be covered into the state treasury.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted April 17, 1883.

[House Joint Resolution No. 80.]

## JOINT RESOLUTION

Authorizing the printing and binding of 25,000 copies of the school laws.

*Be it resolved by the General Assembly of the State of Ohio*, That there be printed and bound in cloth twenty-five thousand copies of Ohio school laws, with notes and references as prepared by the state commissioner of common schools.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted April 17, 1883.

[Senate Joint Resolution No. 93.]

## JOINT RESOLUTION

Allowing certain books to the supreme court commission.

*Resolved by the General Assembly of the State of Ohio*, That the secretary of state be and he is hereby directed to furnish for the supreme court commission of the state of Ohio, in addition to the books named in house joint resolution adopted April 16, A. D. 1883, the following books, to wit: One set Curwen's revised statutes, 4 vols.; one set Chase's statutes, 3 vols.; Swan's revised statutes, Derby edition, 1854; Swan's revised statutes, 1841; ten sets Saylor's statutes, 4 vols.; ten sets Swan and Critchfield's statutes; ten volumes Swan and Saylor's statutes; and one set of the annual volumes of laws as near complete as it can be made.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro tem. of the Senate*

Adopted April 19, 1883.

[Senate Joint Resolution No. 71.]

## JOINT RESOLUTION

Relative to examination into the contract labor system in the Ohio penitentiary

*Resolved*, That the commissioner of labor statistics, in connection with two suitable persons appointed by the governor, is hereby authorized and instructed to make a careful examination as to the kind, amount and effect upon the prisoners of the work performed in the penal institutions of the state, especially as to the convict contract system now practiced in the penitentiary, and as to all the facts pertaining to such work.

Said commission shall recommend such legislation as to the members seems advisable to diminish or prevent evils or abuse, if any, arising from such work ; and shall also recommend the abolition of the convict contract system, if they think necessary, and the substitution therefor of some other system of work, or such alterations in the contract system as such commission think ought to be made therein.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. G. RICHARDS,

*President of the Senate.*

Adopted April 19, 1883.

[Senate Joint Resolution No. 70.]

## JOINT RESOLUTION

Paying secretary of state expenses for telegrams.

*Resolved*, That there be paid to the secretary of state the sum of \$36.97 out of the general fund, to pay for telegrams to newspapers in the state, to delay their publication for reception of amendments to the constitution provided for by house substitute for senate resolution No. 50, and that a warrant be drawn on the auditor of state for the same.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HORR,

*President pro tem. of the Senate.*

Adopted April 19, 1883.

House Joint Resolution No. 104.

## JOINT RESOLUTION

Relating to the sale of certain volumes of the Ohio state reports.

*Resolved by the General Assembly of the State of Ohio*, That the secretary of state be and he is hereby authorized to sell, on such terms as he

may deem advisable, any odd volume or volumes of the Ohio state reports now in his possession or under his control; provided, that no complete set of said reports shall be broken, and that the money arising from such sale or sales be paid into the state treasury.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted April 19, 1883.

[House Joint Resolution No. 96.]

#### JOINT RESOLUTION

Granting certain privileges and accommodations to the executive committee of ex-soldiers' and sailors' association of Franklin county.

WHEREAS, A national reunion of ex-soldiers and sailors of the late war is to be held in the city of Columbus, Ohio, on Tuesday, Wednesday, Thursday and Friday, July 24, 25, 26 and 27, 1883; therefore, be it

*Resolved by the General Assembly of the State of Ohio*, That the adjutant-general of the state is hereby instructed and authorized to grant the free use of the state capitol grounds, during said national reunion of ex-soldiers and sailors in July next, 1883, for reunion purposes to the Franklin county ex-soldiers' and sailors' association, under whose auspices the same is to be holden, and also such portions of the state capitol building as shall not then be occupied or in actual use by the state officials, inclusive of the house and senate chambers; and that the adjutant-general of the state is hereby further instructed and authorized to loan to the executive committee of the ex-soldiers' and sailors' association for the above specified occasion, such number of tents, camp and garrison equipage, ordnance, inclusive of cannon, muskets, ammunition and accoutrements as may then be in his possession and not in use by the national guards of the state, and to accord such other privileges and assistance as shall not materially conflict with the preservation of the public property of the state.

O. J. HODGE,

*Speaker of the House of Representatives.*

R. A. HERR,

*President pro tem. of the Senate.*

Adopted April 19, 1883.

[House Joint Resolution No. 101.]

#### JOINT RESOLUTION

Requesting certain information from the board of public works.

*Be it resolved by the General Assembly of the State of Ohio*, That the board of public works of the state of Ohio are hereby directed to report

to the next general assembly of the state of Ohio, on or before January 15, 1884, a complete and detailed statement of all rents received on account of the public works of the state, exhibiting the following and such other facts as may be necessary to exhibit the revenue from rents.

First—To whom, in what quantity, and what place is water-power furnished; and what quantity of water, if any, is furnished to each, in excess of the amount required to be furnished under the contract with such party.

Second—The capacity and nature of the several manufacturing establishments receiving such water-power, and whether other power is used, and if so, to what extent.

Third—The several amounts annually paid for such water-power.

Fourth—The date and duration of the several leases.

Fifth—Whether the terms of the several leases may be so changed as to increase the rents.

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. A. HERR,  
*President pro. tem. of the Senate.*

Adopted April 19, 1883.

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[House Joint Resolution No. 99.]

JOINT RESOLUTION

Providing for sine die adjournment.

*Resolved by the General Assembly of the State of Ohio, That the 65th general assembly adjourn sine die on Thursday, the nineteenth day of April, 1883, at twelve o'clock M.*

O. J. HODGE,  
*Speaker of the House of Representatives.*  
R. G. RICHARDS,  
*President of the Senate.*

Adopted April 19, 1883.

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OFFICE OF THE SECRETARY OF STATE,

COLUMBUS, OHIO, May 5, 1883.

I, JAMES W. NEWMAN, Secretary of State of the State of Ohio, do hereby certify that the foregoing general and local laws and joint resolutions as printed herein, are truly copied from the original rolls on file in this office.

In testimony whereof, I have hereunto subscribed my name and affixed my  
[SEAL.] official seal, at Columbus, the day and year above written.

JAMES W. NEWMAN,  
*Secretary of State.*



## JUDGES OF THE COURT OF COMMON PLEAS—1883.

District.	Sub. div.	Counties.	Names and post-offices.	Term.	
				Commenced.	Expires.
1		Hamilton...	Fayette Smith, Cincinnati.....	Dec. 2, 1878	Dec. 2, 1883
			Fred. W. Moore, " .....	Dec. 2, 1878	Dec. 2, 1883
			Robert A. Johnson, " .....	Feb. 9, 1882	Feb. 9, 1887
			Sam'l N. Maxwell, " .....	Feb. 9, 1882	Feb. 9, 1887
			John S. Conner, " .....	Feb. 9, 1882	Feb. 9, 1887
			M. L. Buchwalter, " .....	Feb. 9, 1882	Feb. 9, 1887
			William L. Avery, " .....	Feb. 9, 1882	Feb. 9, 1887
2	1	Butler.....	Alex. F. Hume, Hamilton.....	Feb. 9, 1882	Feb. 9, 1887
		Preble....	Henderson Elliott, Dayton.....	Nov. 6, 1881	Nov. 6, 1886
2	2	Montgom'y	John W. Sater, Greenville .....	May 12, 1883	May 11, 1888
		Darke.....	James A. Gilmore, Eaton .....	May 12, 1879	May 12, 1884
2	3	Champaign	Calvin D. Wright, Troy .....	Feb. 9, 1882	Feb. 9, 1887
		Miami.....	Wm. R. Warnock, Urbana.....	Nov. 3, 1879	Nov. 3, 1884
2	3	Warren.....	James M. Smith, Lebanon.....	Feb. 9, 1882	Feb. 9, 1887
		Clinton.....	Azariah W. Doan, Wilmington ..	May 3, 1880	May 3, 1885
2	3	Greene.....	James S. Goode, Springfield.....	May 3, 1880	May 3, 1885
		Clarke .....	James E. Hawes, Xenia.....	Feb. 9, 1879	Feb. 9, 1884
3	1	Shelby .....			
		Anglaize ..	James H. Day, Celina.....	Feb. 9, 1880	Feb. 9, 1885
3	1	Mercer.....	Charles M. Hughes, Lima.....	Feb. 9, 1879	Feb. 9, 1884
		Allen .....			
3	2	Van Wert..			
		Paulding...	Selwyn N. Owen, Bryan.....	Feb. 9, 1882	Feb. 9, 1887
3	2	Defiance ..			
		Williams ..			
3	3	Fulton .....			
		Henry .....	John J. Moore, Ottawa.....	May 10, 1879	May 10, 1884
3	3	Putnam .....			
		Lucas .....	Wm. F. Lockwood, Toledo.....	Nov. 4, 1878	Nov. 4, 1883
4	1	Ottawa .....	Isaac P. Pugsley <sup>1</sup> , Toledo.....	Mar. 10, 1883	
		Sandusky ..	Reuben C. Lemmon, Toledo.....	Feb. 9, 1880	Feb. 8, 1885
4	1	Erie.....	John Mackey, Sandusky .....	Feb. 9, 1882	Feb. 8, 1887
		Huron .....	Charles P. Wickham, Norwalk..	May 9, 1881	May 9, 1886
4	2	Lorain .....	Ulysses L. Marvin <sup>2</sup> , Akron .....	May 5, 1883	
		Medina .....	John C. Hale, Elyria.....	Feb. 9, 1882	Feb. 9, 1887
4	2	Summit .....			
			Darius Cadwell, Cleveland.....	Feb. 9, 1879	Feb. 8, 1884
4	3		Jonathan E. Ingersoll <sup>3</sup> , Cleveland	Sept. 15, 1882	
		Cuyahoga ..	Henry McKinney, Cleveland....	Nov. 1, 1880	Nov. 1, 1885
4	3		E. T. Hamilton, " .....	Nov. 1, 1880	Nov. 1, 1885
			Gershom M. Barber, " .....	Nov. 1, 1880	Nov. 1, 1885
5	1		James M. Jones, " .....	Feb. 9, 1882	Feb. 9, 1887
		Clermont...			
5	1	Brown .....	D. W. C. Loudon, Georgetown...	Feb. 9, 1882	Feb. 8, 1887
		Adams .....			
5	2	Ross .....	Thad. A. Minshall, Chillicothe ..	Feb. 9, 1879	Feb. 8, 1884
		Highland...	Henry M. Huggins, Hillsboro ..	Feb. 9, 1882	Feb. 8, 1887
5	2	Fayette .....	Ace Gregg, Washington C. H....	Nov. 1, 1880	Nov. 1, 1885
			Ed. F. Bingham, Columbus .....	May 11, 1883	May 10, 1888
5	3	Franklin ...	Hawley J. Wylie, " .....	Feb. 9, 1882	Feb. 9, 1887
		Pickaway...	Eli P. Evans, " .....	May 6, 1883	May 6, 1888
5	3	Madison.....	George Lincoln, London .....	Feb. 9, 1880	Feb. 9, 1885

<sup>1</sup>Vice John H. Doyle, resigned March 10, 1883.<sup>2</sup>Vice N. D. Tibbals, resigned May 5, 1883.<sup>3</sup>Vice S. F. Williamson, resigned September 15, 1882.

## JUDGES OF THE COURT OF COMMON PLEAS, 1883—Continued.

District.	Sub. div.	Counties.	Names and post-offices.	Term.	
				Commenced.	Expires.
6	1	Licking .....	Samuel M. Hunter, Newark.....	Feb. 9, 1882	Feb. 9, 1887
		Knox .....	Charles H. McElroy, Delaware ..	Feb. 9, 1882	Feb. 9, 1887
		Delaware...			
6	2	Morrow .....	Manuel May, Mansfield.....	Oct. — 1882	Feb. 9, 1887
		Richland .....	Jabez Dickey, Mt. Gilead.....	Oct. — 1882	Feb. 9, 1884
		Ashland .....			
6	8	Wayne.....	Charles C. Parsons, Sr., Wooster	Feb. 9, 1882	Feb. 9, 1887
		Holmes .....	Wellington Stillwell, Millersburg	Feb. 4, 1883	Feb. 4, 1888
		Coshocton..			
7	1	Fairfield ..	Silas H. Wright, Lancaster.....	Feb. 9, 1882	Feb. 9, 1887
		Perry .....	John S. Freisner, Logan.....	Dec. 1, 1879	Dec. 1, 1884
		Hocking ..			
7	2	Jackson .....			
		Vinton .....	A. C. Thompson, Portsmouth.....	Feb. 9, 1882	Feb. 9, 1887
		Pike .....	James Tripps, Jackson C. H.....	Feb. 9, 1879	Feb. 9, 1884
7	3	Scioto .....			
		Lawrence ..			
		Gallia .....			
8	1	Meigs .....	Hiram L. Sibley, Marietta.....	July 6, 1883	July 6, 1888
		Athens.....	Jos. P. Bradbury, Pomeroy.....	Feb. 9, 1882	Feb. 9, 1887
		Washingt'n			
8	2	Muskingum			
		Morgan .....	Wm. H. Frazier, Caldwell .....	Feb. 9, 1882	Feb. 9, 1887
		Noble .....	Wm. H. Ball, Zanesville.....	Aug. 10, 1879	Aug. 10, 1884
8	3	Guernsey ..			
		Belmont.....	St. Clair Kelly, St. Clairsville.....	Feb. 9, 1882	Feb. 9, 1887
		Monroe .....			
9	1	Jefferson ..	J. C. Hance, New Philadelphia..	Feb. 9, 1882	Feb. 9, 1887
		Harrison ..	John S. Pearce, Cadiz.....	Apr. 17, 1882	Apr. 17, 1887
		Tuscarawas			
9	2	Stark .....	Anson Pease, Canton .....	Feb. 9, 1882	Feb. 9, 1887
		Carroll .....	Peter A. Laubie, Salem .....	Nov. 1, 1880	Nov. 1, 1885
		Columbiana			
9	3	Trumbull...	G. F. Arrell, Youngstown .....	Feb. 9, 1882	Feb. 9, 1887
		Portage .....	Wm. T. Spear, Warren.....	Oct. 31, 1878	Oct. 31, 1883
		Mahoning..			
10	1	Geauga .....	L. S. Sherman, Ashtabula.....	Feb. 9, 1882	Feb. 9, 1887
		Lake .....	H. B. Woodbury, Jefferson .....	Feb. 1, 1880	Feb. 1, 1885
		Ashtabula..			
10	2	Wood .....			
		Hancock ..	Luther M. Strong, <sup>1</sup> Kenton.....	Apr. 19, 1883	
		Seneca .....	Henry H. Dodge, Perrysburg.....	May 4, 1883	May 4, 1888
10	8	Hardin.....			
		Crawford...	Thomas Beer, Bucyrus.....	Feb. 9, 1882	Feb. 9, 1887
		Marion .....			
10	8	Wyandot ..			
		Union.....	John A. Price, Bellefontaine .....	Feb. 9, 1882	Feb. 9, 1887
		Logan .....			

<sup>1</sup>Vice John McCauley, resigned April 19, 1883.

## TIMES OF HOLDING COURTS IN OHIO IN 1883.

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### FIRST DISTRICT.

#### *District Court.*

Hamilton, 1st Monday January, 1st Monday April, 1st Monday October.

#### *Common Pleas.*

Hamilton, 1st Monday January, 2d Monday May, 1st Monday November.

### SECOND DISTRICT.

#### *District Court.*

Butler, April 2; Clinton, April 16; Warren, April 30; Champaign, May 7; Montgomery, April 2; Clarke, May 7; Greene, April 23; Darke, April 2; Preble, April 28; Miami, May 14.

#### *Common Pleas.*

Butler, January 15, May 21, October 15.  
Montgomery, January 8, May 7, October 15.  
Darke, January 15, May 28, October 15.  
Clinton, January 15, May 28, October 15.  
Warren, January 15, May 28, October 15.  
Clarke, January 22, May 28, October 15.  
Greene, January 8, May 28, October 1.  
Champaign, January 15, May 28, October 15.  
Miami, January 15, May 28, October 15.  
Preble, January 15, May 28, October 15.

### THIRD DISTRICT.

#### *District Court.*

Allen, September 24; Auglaize, September 20; Defiance, March 29; Fulton, March 23; Henry, March 26; Mercer, September 27; Paulding, April 2; Putnam, October 1; Shelby, September 17; Van Wert, April 4; Williams, March 20.

#### *Common Pleas.*

Allen, January 29, May 14, November 5.  
Auglaize, January 3, April 17, October 10.  
Defiance, January 17, April 23, October 30.  
Fulton, January 3, April 16, October 10.  
Henry, January 22, April 30, October 29.

Mercer, February 19, June 4, November 26.  
 Paulding, January 3, April 10, October 15.  
 Putnam, February 19, May 28, November 26.  
 Shelby, January 3, April 16, October 10.  
 Van Wert, January 23, May 8, October 30.  
 Williams, February 19, May 21, November 26.

FOURTH DISTRICT.

*District Court.*

Erie, April 12; Huron, April 23; Lucas, March 12; Sandusky, April 28; Ottawa, April 27; Lorain, April 5; Medina, April 2; Summit, March 12; Cuyahoga, March 12, September 24.

*Common Pleas.*

Erie, January 29, May 21, October 22.  
 Huron, February 5, June 4, November 12.  
 Lucas, January 2, April 30, October 1.  
 Sandusky, January 2, April 30, October 1.  
 Ottawa, January 8, May 7, September 24.  
 Lorain, January 22, May 21, October 22.  
 Medina, January 8, May 7, September 24.  
 Summit, January 8, May 7, September 24.  
 Cuyahoga, January 2, April 30, September 24.

FIFTH DISTRICT.

*District Court.*

Madison, March 13; Fayette, March 29; Clermont, September 22; Franklin, March 13, September 4; Adams, September 4; Highland, October 2; Pickaway, March 22; Brown, September 8; Ross, September 29.

*Common Pleas.*

Adams, January 9, April 3, October 10.  
 Clermont, February 6, May 15, November 21.  
 Brown, January 9, April 17, October 24.  
 Highland, January 8, April 23, October 15.  
 Ross, January 8, April 23, October 15.  
 Fayette, January 8, April 23, October 22.  
 Franklin, January 8, April 9, October 10.  
 Madison, February 5, June 4, November 13.  
 Pickaway, January 2, May 1, October 10.

## SIXTH DISTRICT.

*District Court.*

Delaware, May 28; Knox, June 25; Licking, June 11; Ashland, June 4; Morrow, July 5; Richland, June 11; Coshocton, June 4; Holmes, July 5; Wayne, June 25.

*Common Pleas.*

Delaware, January 8, April 8, October 15.  
 Knox, February 18, May 1, November 18.  
 Licking, January 8, April 8, October 15.  
 Ashland, March 6, September 4, November 18.  
 Morrow, January 22, April 16, October 22.  
 Richland, March 19, September 17, December 10.  
 Coshocton, February 12, April 9, October 16.  
 Holmes, January 8, March 5, September 8.  
 Wayne, February 5, August 27, December 8.

## SEVENTH DISTRICT.

*District Court.*

Washington, April 3; Gallia, April 14; Scioto, April 23; Perry, September 8; Hocking, September 18; Athens, April 6; Meigs, April 11; Lawrence, April 18; Pike, September 24; Fairfield, September 7; Jackson, September 19; Vinton, September 17

*Common Pleas.*

Athens, January 8, April 30, October 15.  
 Fairfield, January 22, April 23, October 15.  
 Gallia, January 22, May 7, October 15.  
 Hocking, February 19, May 21, November 19.  
 Jackson, February 19, June 4, November 26.  
 Lawrence, February 26, June 4, November 19.  
 Meigs, February 5, May 28, November 5.  
 Perry, March 12, June 11, December 10.  
 Pike, January 29, May 21, November 5.  
 Scioto, January 15, April 30, October 15.  
 Vinton, January 8, April 30, October 15.  
 Washington, January 29, May 21, November 5.

## EIGHTH DISTRICT.

*District Court.*

Belmont, April 3; Jefferson, April 9; Harrison, April 16; Tuscarawas, September 4; Guernsey, September 11; Monroe, August 29; Noble, September 17; Morgan, September 20; Muskingum, September 25.

*Common Pleas.*

Muskingum, January 29, May 14, November 5.  
 Morgan, January 9, April 24, October 16.  
 Noble, January 16, April 24, October 16.  
 Guernsey, February 13, May 15, November 13.  
 Belmont, February 6, May 15, November 6.  
 Monroe, January 16, April 24, October 16.  
 Jefferson, February 6, May 15, September 11.  
 Tuscarawas, January 16, April 24, November 6.  
 Harrison, January 16, April 24, November 6.

## NINTH DISTRICT.

*District Court.*

Trumbull, March 26; Portage, April 9; Lake, March 29; Geauga, March 26; Ashtabula, April 9; Mahoning, March 12; Columbiana, March 19; Carroll, March 12; Stark, April 16.

*Common Pleas.*

Carroll, January 15, May 7, October 15.  
 Stark, January 8, May 14, October 15.  
 Columbiana, February 5, May 21, November 5.  
 Mahoning, January 8, April 30, September 3.  
 Trumbull, February 5, May 28, October 15.  
 Portage, January 8, April 30, September 3.  
 Lake, February 5, May 7, November 5.  
 Geauga, January 15, June 4, October 15.  
 Ashtabula, January 15, May 7, October 15.

## TENTH DISTRICT.

*District Court.*

Crawford, April 10; Hardin, March 16; Hancock, March 19; Logan, March 12; Marion, April 4; Union, July 9; Seneca, March 26; Wood, March 21; Wyandot, April 2.

*Common Pleas.*

Crawford, February 12, April 23, October 10.  
 Hardin, February 5, May 28, October 15.  
 Hancock, January 8, April 30, September 17.  
 Logan, February 5, May 21, October 15.  
 Marion, January 22, May 14, September 17.  
 Seneca, January 8, April 30, September 17.  
 Union, January 8, April 16, September 10.  
 Wood, February 5, May 28, October 15.  
 Wyandot, January 8, June 4, November 5.

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OFFICE OF THE SECRETARY OF STATE,

COLUMBUS, O., *May 8, 1888.*

I HEREBY CERTIFY that the above is correctly copied from the official lists returned to this office.

[SEAL.]

JAMES W. NEWMAN,  
*Secretary of State.*

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